

10/20/21, 11:18 AM

Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
12/28/2001	INDICTMENT AND SUMMONS FILED BY PROSECUTOR'S OFFICE AND COPIES OF SAME ISSUED TO SHERIFF. Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$2.00	
12/28/2001	MOTION OF THE VINDICATOR PRINTING CO IN OPPOSITION TO DEFT DONNA M ROBERTS MOTION TO SEAL COURT RECORDS WITH SERVICE FILED BY ATTY DAVID MARBURGER.	\$0.00	
12/28/2001	NOTICE OF APPEARANCE AS CO-COUNSEL WITH SERVICE FILED BY ATTY JOHN JUHASZ	\$0.00	
12/28/2001	DEFTS MOTION AND MEMORANDUM TO HOLD AFFIDAVIT AND EXHIBITS UNDER SEAL WITH SERVICE FILED BY ATTY J GERALD INGRAM	\$0.00	
12/31/2001	NOT GUILTY PLEA TO ARRAIGNMENT ON INDICTMENT & SUMMONS NO BOND SET	\$0.00	
12/31/2001	SUMMONS ON INDICTMENT RETURNED BY SHERIFF ON DONNA MARIE ROBERTS SHERIFF ALTIERE Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$2.00	
12/31/2001	CAPIAS RETURNED AND ENDORSED BY SHERIFF ON DONNA MARIE ROBERTS SHERIFF ALTIERE	\$0.00	
01/03/2002	PRE TRIAL 01/30/2002 09:00 AM JUDGE:HON. JOHN M. STUARD LOC:COURT 2 (N1-3-02)	\$0.00	
01/04/2002	CERTIFIED MAILER NUMBER 0891 801 SENT TO: THE SUPREME COURT OF OHIO Amount Owed: \$5.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$5.00	
01/07/2002	VICTIM'S RIGHTS NOTIFICATION FILED.	\$0.00	
01/07/2002	DEFENDANT'S NOTICE OF REQUEST FOR DISCOVERY FILED BY DEFENDANT'S ATTORNEY JERRY INGRAM AND JOHN JUHASZ	\$0.00	
01/07/2002	DEFENDANT'S MOTION FOR NOTICE OF INTENTION TO USE EVIDENCE FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND JOHN JUHASZ	\$0.00	
01/14/2002	CERTIFIED MAIL NUMBER 891801 RETURNED ENDORSED FROM THE SUPREME COURT OF OHIO ON 1/9/02 BY ?	\$0.00	
02/01/2002	HEARING ON PENDING MOTIONS 05/23/2002 01:00 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
02/01/2002	JURY TRIAL 11/18/2002 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
02/01/2002	963/427 WAIVER OF SPEEDY TRIAL FOR 300 DAYS UNTIL 11/18/02 Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
02/11/2002	DEFENDANT'S MOTION FOR AN ORDER ENLARGING THE TIME FOR FILING PRETRIAL MOTIONS FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND JOHN JUHASZ	\$0.00	
02/11/2002	DEFENDANT'S MOTION FPR DISCOVERY FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ	\$0.00	
02/20/2002	MOTION TO DETERMINE PROPER STANDARD TO EXCUSE JURORS FOR CAUSE FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ.	\$0.00	
02/26/2002	DEFENDANT'S MOTION FOR COMPREHENSIVE VOIR DIRE EXAMINATION FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM	\$0.00	
03/13/2002	NOTICE TO SUPREME COURT (COPY) CC02008	\$0.00	
03/15/2002	STATE'S REQUEST FOR RECIPROCAL DISCOVERY FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
03/15/2002	STATE'S RESPONSE TO DEFENDANT'S REQUEST FOR DISCOVERY FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
03/15/2002	STATE'S RESPONSE TO DEFENDANT'S REQUEST BILL OF PARTICULARS FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
03/20/2002	MOTION OF INTEREST PARTY FILED BY ATTORNEY ROSEMARY MILBY ATTORNEY FORD MOTOR CREDIT COMPANY FILED	\$0.00	
04/16/2002	STATES SECOND SUPPLEMENTAL RESPONSE TO DEFTS REQUEST FOR DISCOVERY WITH SERVICE FILED BY PROSECUTOR	\$0.00	

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
04/18/2002	STATES THIRD SUPPLEMENTAL RESPONSE TO DEFTS REQUEST FOR DISCOVERY WITH SERVICE FILED BY PROSECUTOR	\$0.00	
05/20/2002	HEARING ON PENDING MOTIONS 07/18/2002 01:00 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
06/18/2002	DEFENDANT'S MOTION FOR COMPEHENSIVE VOIR DIRE EXAMINATION FILED BY THE DEFENDANT'S ATTORNEY J. GERALD INGRAM AND JOHN B JUHASZ	\$0.00	
06/18/2002	DEFENDANT'S MOTION TO PROHIBIT DEATH QUALIFICATION OF JURORS UNLESS AND UNTIL THE GOVERNMENT HAS ESTABLISHED PROBABLE CAUSE THAT THE CASE WILL PROCEED TO A SECOND PHASE EVIDENTIARY HEARING REQUESTED FILED BY THE DEFENDANT'S ATTORNEY J. GERALD INGRAM AND JOHN J JUHASZ	\$0.00	
07/09/2002	DEFENDANT'S MOTION TO SUPPRESS EVIDENCE REQUEST FOR EVIDENTIARY HEARING FILED BY THE DEFENDANT'S ATTORNEY J. GERALD INGRAM AND JOHN B JUHASZ	\$0.00	
07/15/2002	DEFENDANT'S MOTION FOR ALTERNATING VOIR EXAMINATION FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM	\$0.00	
07/15/2002	DEFENDANT'S MOTION TO HAVE REASONS FOR OBJECTIONS AND REASONS FOR OVERRULING OBJECTIONS PLACED ON THE RECORD FILED BY THE DEFENANT'S ATTORNEY JERRY INGRAM	\$0.00	
07/18/2002	MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO PROHIBIT DEATH QUALIFICATIONS UNTIL PROSECUTION HAS SHOWN PROBABLE CAUSE THAT THE CASE WILL PROCEED TO A SECOND PHASE FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
07/18/2002	STATE'S MEMORANDUM IN RESPONSE TO DEFENDANT'S MOTION TO DETERMINE PROPER STANDARD TO EXCUSE JURORS FOR CAUSE FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
07/18/2002	MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION FOR COMPREHENSIVE VOIR DIRE FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
07/18/2002	DEFENDANT'S MOTION TO DISMISS INDICTMENT OR IN THE ALTERNATIVE TO DISMISS DEATH SPECIFICATIONS BECAUSE DEATH PENALTY IN OHIO IS UNCONSTITUTIONAL REQUEST FOR ORAL HEARING FILED BY THE DEFENDANT'S ATTORNEY'S JERRY INGRAM AND JOHN JUHASZ	\$0.00	
07/19/2002	976/309 ENTRY OF STIPULATION REGARDING DEFTS JULY 9, 2002 MOTION TO SUPPRESS. SEE J/E. 7/19/02 COPIES SENT TO: J INGRAM, J JUHASZ, S BOLTON, D MARBURGER, A MILLETTE & PROSECUTOR Amount Owed: \$4.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$4.00	
07/19/2002	POSTAGE Amount Owed: \$2.22 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.22	
07/23/2002	HEARING ON PENDING MOTIONS 09/20/2002 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
08/26/2002	DEFTS MOTION TO SUPPRESS REFERENCES TO THE JURY THAT A VERDICT OF DEATH IS ONLY A RECOMMENDATION WITH SERVICE FILED BY ATTY JOHN JUHASZ	\$0.00	
09/11/2002	981/507 DEFTS MOTION TO SUPPRESS REFERENCES TO THE JURY THAT THE DEATH PENALTY IS BEING SOUGHT IS DENIED. SEE J/E. 9/11/02 COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ Amount Owed: \$6.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$6.00	
09/11/2002	POSTAGE Amount Owed: \$1.11 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$1.11	
09/12/2002	DEFTS MOTION TO DISMISS DEATH SPECIFICATIONS DUE TO INADEQUATE APPELLATE REVIEW REQUEST FOR HEARING WITH SERVICE FILED BY ATTY JOHN JUHASZ	\$0.00	
09/13/2002	DEFTS MOTION TO PROHIBIT THE GOVERNMENT FROM USING PEREMPTORY CHALLENGES TO EXCLUDE VENIREMEN WHO EXPRESS CONCERN ABOUT IMPOSING CAPITAL PUNISHMENT WITH SERVICE FILED BY ATTY J GERALD INGRAM	\$0.00	
09/16/2002	DEFTS MOTION TO HAVE REASONS FOR OBJECTIONS AND REASONS FOR OVERRULING OBJECTIONS PLACED ON THE RECORD WITH SERVICE FILED BY ATTY J GERALD INGRAM	\$0.00	
09/16/2002	DEFTS MOTION TO DISMISS DEATH PENALTY SPECIFICATIONS BECAUSE METHOD OF EXECUTION IS UNCONSTITUTIONAL WITH SERVICE FILED BY ATTY J GERALD INGRAM	\$0.00	
09/20/2002	HEARING ON PENDING MOTIONS 10/10/2002 01:00 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
10/04/2002	MOTION TO SUPPRESS WITH SERVICE FILED BY ATTY GERALD INGRAM	\$0.00	
10/10/2002	MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO DISMISS DEATH PENALTY SPECIFICATIONS DUE TO INADEQUATE APPELLATE REVIEW WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO DISMISS DEATH PENALTY SPECIFICATIONS BECAUSE METHOD OF EXECUTION IS UNCONSTITUTIONAL WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	MEMORANDUM CONTRA TO DEFTS MOTION TO DISMISS INDICTMENT: OR IN ALTERNATIVE TO DISMISS DEATH SPECIFICATIONS BECAUSE DEATH PENALTY IN OHIO IS UNCONSTITUTIONAL WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO HAVE REASONS FOR DEFENSE OBJECTIONS AND REASONS FOR OVERRULING DEFTS OBJECTIONS PLACED ON RECORD WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE VERIREMEN WHO EXPRESS CONCERNS ABOUT IMPOSING CAPITAL PUNISHMENT WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	MEMORANDUM IN OPPOSITION TO DEFTS MOTION FOR ALTERNATING VOIR DIRE WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	MOTION FOR DEFT TO SUBMIT TO HANDWRITING EXEMPLARS WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	STATES FOURTH SUPPLEMENTAL RESPONSE TO DEFTS REQUEST FOR DISCOVERY WITH SERVICE FILED BY PROSECUTOR	\$0.00	
10/10/2002	983/808 MOTIONS HEARING SCHEDULED FOR 9/20/02 AT 9:00 AM IS RESCHEDULED TO 10/10/02 AT 1:00 PM. 10/10/02 COPIES SENT TO: C BECKER, K BAILEY, TR CO PROSECUTOR, J INGRAM AND J JUHASZ Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$2.00	
10/15/2002	HRG ON MOTION TO SUPPRESS 11/08/2002 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
10/21/2002	STATUS CONFERENCE 10/24/2002 11:30 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
10/25/2002	985/232 WAIVER OF SPEEDY TRIAL FOR 210 DAYS UNTIL 4/7/03 Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
10/29/2002	JURY TRIAL 04/07/2003 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
11/01/2002	PRE TRIAL 12/19/2002 08:45 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
12/03/2002	DEFTS MOTION TO DISMISS DEATH SPECIFICATIONS AND TO DECLARE INVALID OHIO CONST ART IV, 2 AND 3 AND ORC ANN 2929.05 AND 2953.02 AND REQUEST FOR HEARING WITH SERVICE FILED BY ATTY J GERALD INGRAM	\$0.00	
12/20/2002	PRE TRIAL 01/02/2003 08:45 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
01/03/2003	SUPPRESSION HEARING 02/26/2003 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
02/28/2003	FINAL PRE TRIAL 03/26/2003 01:00 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
02/28/2003	JURY TRIAL 04/08/2003 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
02/28/2003	995/415 WAIVER OF SPEEDY TRIAL FOR ADDITIONAL 45 DAYS; TRIAL DATE APRIL 8, 2003. Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
03/03/2003	MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO SUPPRESS FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
03/17/2003	NOTICE OF OPEN FILE DISCOVERY FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
03/18/2003	DEFENDANT'S MOTION FOR ORDER GRANTING EXPERT ACCESS TO DEFENDANT IN COUNTY JAIL FILED BY THE DEFENDANT'S ATTORNEY JOHN JUHASZ	\$0.00	

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03/18/2003	996/977 JUDGMENT ENTRY GRANTING EXPERT ACESS. 3/18/03 CC SENT TO: C BECKER, K BAILEY, J G INGRAM, J JUHASZ, DR T EBERLE & T ALTIERE Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$2.00	
03/18/2003	POSTAGE Amount Owed: \$2.22 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.22	
03/21/2003	DEFENDANT'S POST SUPPRESSION HEARING MEMORANDUM FILED BY THE DEFENDANT'S ATTORNEY GERALD INGRAM AND JOHN JUHASZ	\$0.00	
04/04/2003	998/433 DEFTS MOTION TO SUPPRESS IS DENIED. 4/4/03 COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ Amount Owed: \$6.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$6.00	
04/04/2003	POSTAGE Amount Owed: \$1.11 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$1.11	
04/07/2003	PROPOSED ORIENTATION INSTRUCTIONS AS TO PROCEDURE IN A CAPITAL CASE FILED BY THE DEFENDANT'S ATTORNEY J GERALD INGRAM	\$0.00	
04/07/2003	HEARING ON MOTION TO SUPPRESS EVIDENCE FILED BY THE DEFENDANT'S ATTONREY J GERALD INGRAM AND ATTORNEY JOHN JUHASZ	\$0.00	
04/07/2003	NOTICE OF APPEAL TO THE 11TH APPELLATE COURT FILED BY ATTY J JUHASZ	\$0.00	
04/07/2003	DEFENDANTS MOTION TO CHANGE VENUE REQUEST FOR CLOSED ORAL HEARING FILED BY ATTY INGRAM AND JUHASZ	\$0.00	
04/08/2003	998/713 MANDATE FROM COURT OF APPEALS. THE INSTANT APPEAL IS DISMISSED FOR LACK OF JURISDICTION Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
04/08/2003	SUBPOENA RETURNED AND ENDORSED ON ANDREW HARVEY BY SHERIFF ALTIERE Amount Owed: \$3.30 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$3.30	
04/09/2003	SUBPOENA RETURNED AND ENDORSED ON JOSE SANCHEZ MAHONING COUNTY SHERIFF'S DEPARTMENT Amount Owed: \$1.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$1.00	
04/10/2003	PRELIMINARY INSTRUCTIONS (DEFENDANT'S SUBMISSION) FILED BY THE DEFENDANT'S ATTORNEY	\$0.00	
04/10/2003	DEFENDANT'S MOTION FOR SPECIFIC DISCLOSURE OF DUE PROCESS MATERIAL FILED BY THE DEFENDANT'S ATTONREY JERRY INGRAM AND JOHN JUHASZ	\$0.00	
04/14/2003	STATE'S FIFTH SUPPLEMENTAL RESPONSE TO DEFENDANT'S REQUEST FOR DISCOVERY FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
04/24/2003	SUBPOENA RETURNED AND ENDORSED ON MELVIN WILLIAMS MAHONING COUNTY SHERIFF Amount Owed: \$6.60 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$6.60	
04/24/2003	SUBPOENA RETURNED AND ENDORSED ON SHELIA FIELDS MAHONING COUNTY SHERIFF Amount Owed: \$3.80 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$3.80	
04/24/2003	SUBPOENA RETURNED AND ENDORSED ON JEFFREY DIAMANTES MAHONING COUNTY SHERIFF Amount Owed: \$27.40 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$27.40	
04/24/2003	SUBPOENA RETURNED AND ENDORSED ON JOSE FLORES RICHLAND COUNTY SHERIFF Amount Owed: \$2.50 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.50	

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04/24/2003	SUBPOENA RETURNED AND ENDORSED ON JIM MCCOY CUYAHOGA COUNTY SHERIFF Amount Owed: \$16.27 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$16.27	
04/24/2003	SUBPOENA RETURNED AND ENDORSED ON CHRIS GEAR MAHONING COUNTY SHERIFF Amount Owed: \$3.80 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$3.80	
04/24/2003	SUBPOENA RETURNED AND ENDORSED ON RALPH ROBERTS MAHONING COUNTY SHERIFF Amount Owed: \$14.50 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$14.50	
04/24/2003	SUBPOENA RETURNED AND ENDORSED ON JAMES CULWELL FRANKLIN COUNTY SHERIFF Amount Owed: \$2.30 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.30	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON JILL KENYON SHERIFF ALTIERE Amount Owed: \$4.30 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$4.30	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON JENNIFER ROBINSON MAHONING COUNTY SHERIFF Amount Owed: \$5.40 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$5.40	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON JEFFREY PASCARELLA MAHONING COUNTY SHERIFF Amount Owed: \$8.60 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$8.60	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON RITA MORRISON MAHONING COUNTY SHERIFF Amount Owed: \$5.40 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$5.40	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON RITA MOSSISON SHERIFF ALTIERE	\$0.00	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON JOHN GUZIK MAHONING COUNTY SHERIFF Amount Owed: \$5.40 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$5.40	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON MIGUEL DIAZ MAHONING SHERIFF ALTIERE Amount Owed: \$6.60 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$6.60	
04/25/2003	TRIAL STIPULATION FILED BY THE DEFENDANT'S ATTORNEY ALONG WITH THE PROSECUTOR'S OFFICE	\$0.00	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON FRANK REYNOLDS NOT SERVED MAHONING COUNTY SHERIFF Amount Owed: \$11.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$11.00	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON JAMES DANIELS MAHONING COUNTY SHERIFF Amount Owed: \$3.80 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$3.80	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON BRIDGET PAUL SHERIFF ALTIERE Amount Owed: \$3.30 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$3.30	
04/25/2003	SUBPOENA RETURNED AND ENDORSED ON PAULA CARSON SHERIFF ALTIERE Amount Owed: \$3.30 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$3.30	
04/25/2003	SUBPOENA RETURNED UNABLE TO SERVE IN TIME FOR HEARING (KRIS ELLINGTON)	\$0.00	
04/29/2003	SUBPOENA RETURNED - UNABLE TO SERVE IN TIME FOR HEARING - NEW ADDRESS 2747 RANDOLPH NW, WARREN, OH 44485 (SANTIAGO MASON)	\$0.00	

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
05/12/2003	1001/295 1 - DEFTS MOTION TO PROHIBIT THE GOVERNMENT FROM USING PEREMPTORY CHALLENGES TO EXCLUDE VENIREMEN WHO EXPRESS CONCERN ABOUT IMPOSING CAPITAL PUNISHMENT IS OVERRULED. 2 - DEFTS MOTION TO HAVE REASONS FOR OBJECTIONS AND REASONS FOR OVERRULING OBJECTIONS PLACED ON THE RECORD IS GRANTED IN PART. THE COURT WILL PROVIDE ITS REASONS FOR OVERRULING ANY OBJECTIONS ON THE RECORD IF REQUESTED BY EITHER PARTY. 3 - DEFTS MOTION TO DISMISS DEATH PENALTY SPECIFICATIONS BECAUSE METHOD OF EXECUTION IS UNCONSTITUTIONAL IS OVERRULED. 4 - DEFTS MOTION TO DISMISS DEATH SPECIFICATIONS DUE TO INADEQUATE APPELLATE REVIEW IS OVERRULED. 5 - DEFTS MOTION TO SUPPRESS REFERENCES TO THE JURY THAT A VERDICT OF DEATH IS ONLY A RECOMMENDATION IS OVERRULED. 6 - DEFTS MOTION TO DISMISS INDICTMENT OR IN THE ALTERNATIVE TO DISMISS DEATH SPECIFICATIONS BECAUSE DEATH PENALTY IN OHIO IS UNCONSTITUTIONAL IS OVERRULED. 7 - DEFTS MOTION FOR ALTERNATING VOIR DIRE EXAMINATION IS WITHDRAWN. 8 - DEFTS MOTION FOR AN ORDER ENLARGING THE TIME FOR FILING PRETRIAL MOTIONS FILED 2/11/02 IS GRANTED. 9 - DEFTS MOTION TO DETERMINE THE PROPER STANDARD TO EXCUSE JURORS FOR CAUSE IS OVERRULED TO THE EXTENT THAT THE COURT WILL DETERMINE BASED UPON THE APPLICABLE LAW THE STANDARD FOR EXCUSING JURORS. 10 - DEFTS MOTION FOR COMPREHENSIVE VOIR DIRE EXAMINATION IS GRANTED AND THE COURT WILL PERMIT THE PARTIES 45 MINUTES PER SIDE TO INDIVIDUALLY VOIR DIRE THE PROSPECTIVE JURORS. 11 - DEFTS MOTION TO PROHIBIT DEATH QUALIFICATION OF JURORS UNLESS AND UNTIL THE GOVERNMENT HAS ESTABLISHED PROBABLE CAUSE THAT THE CASE WILL PROCEED TO A SECOND PHASE IS OVERRULED. 12 - STATES MOTION TO HAVE THE DEFT SUBMIT TO HANDWRITING EXEMPLARS IS MOOT DUE TO THE STIPULATED ENTRY FILED ON 4/25/02. 13 - DEFTS MOTION TO DISMISS DEATH SPECIFICATIONS AND TO DECLARE INVALID OHIO CONSTITUTION ART IV, 2 AND 3 AND ORC 2929.05 AND 2953.02 IS OVERRULED. 14 - DEFTS MOTION TO CHANGE VENUE IS OVERRULED. 5/12/03 COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ Amount Owed: \$8.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$8.00	
05/12/2003	DEFENDANT'S MOTION IN LIMINE HEARING REQUEST OR HEARING FILED BY THE DEFENDANT'S ATTORNEY JERRY INDRAM AND JOHN JUHASZ	\$0.00	
05/12/2003	DEFENDANT'S MOTION IN LIMINE CONCERNING EXTRANEIOUS STATEMENTS IN LETTERS AND TAPES FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM & JOHN JUHASZ	\$0.00	
05/12/2003	STENOGRAPHER FEE FILED BY KELLY J WILSON OFFICIAL COURT REPORTER Amount Owed: \$125.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$125.00	
05/13/2003	WITNESS FEES FOR CHRIS MONYAK Amount Owed: \$24.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$24.00	
05/14/2003	WITNESS FEES JAMES DANIELS Amount Owed: \$8.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$8.00	
05/14/2003	WITNESS FEES \$283.90 Amount Owed: \$283.90 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 132123 Date: 08/25/2008	\$283.90	
05/15/2003	WITNESS FEES SANTIAGO MASON Amount Owed: \$24.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$24.00	
05/15/2003	STIPULATION FILED BY THE PROSECUTOR'S OFFICE	\$0.00	
05/16/2003	DEFENDANT'S MOTION IN LIMINE REQUEST FOR HEARING FILED BY THE DEFENDANT'S ATTORNEY JERRY AND ATTORNEY JOHN JUHASZ	\$0.00	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=zn2EEuO-zZihifOIUXab9y1*vCb0JzvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMYz... 7/22

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Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
05/22/2003	1002/478 JURORS MARGARET KAY AND TERRY GRAY ARE ORDERED BY THIS COURT NOT TO REPORT TO THEIR PLACES OF EMPLOYMENT DURING THE DURATION OF THEIR JURY SERVICE IN THE ABOVE STYLED CASE. THIS ORDER SHALL REMAIN IN EFFECT UNTIL A FINAL VERDICT IS REACHED IN THIS CASE IN THE GUILT PHASE AS WELL AS THE PENALTY PHASE IF SUCH PHASE IS NECESSARY. 5/22/03 COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008 Receipt: 128021 Date: 06/30/2008	\$2.00	
05/22/2003	POSTAGE Amount Owed: \$1.11 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$1.11	
05/22/2003	1004/867 ORDERED THAT JURORS MARGARET KAY & TERRY GRAY ARE NOT TO REPORT TO PLACES OF EMPLOYMENT DURING DURATION OF JURY SERVICE IN THIS CASE 06-30-03 COPIES TO J GERALD INGRAM, JOHN JUHASZ & PROS Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/27/2003	DEFENDANT'S MOTION FOR JUDGEMENT OF ACQUITTAL FILED BY THE DEFENDANT'S ATTORNEY J. INGRAM AND ATTORNEY JOHN JUHASZ	\$0.00	
05/27/2003	DEFENDANT'S PROPOSED INSTRUCTION TO TRIAL JURY FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ	\$0.00	
05/27/2003	CHARGE IF THE COURT FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ	\$0.00	
05/29/2003	1002/761 VERDICT FOR PLAINTIFF - COUNT ONE - COMPLICITY TO AGGRAVATED MURDER (PRIOR CALCULATION AND DESIGN) Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/762 VERDICT FOR PLAINTIFF COUNT ONE - VERDICT ON SPECIFICATION ONE Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/763 VERDICT FOR PLAINTIFF COUNT ONE - VERDICT ON SPECIFICATION TWO Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/764 VERDICT FOR PLAINTIFF COUNT TWO - COMPLICITY TO AGGRAVATED MURDER (FELONY MURDER) Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/765 VERDICT FOR PLAINTIFF COUNT TWO VERDICT ON SPECIFICATION ONE Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/766 VERDICT FOR PLAINTIFF COUNT TWO - VERDICT ON SPECIFICATION TWO Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/767 VERDICT FOR PLAINTIFF COUNT THREE COMPLICITY TO AGGRAVATED BURGLARY Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/768 VERDICT FOR PLAINTIFF COUNT THREE - VERDICT ON FIREARM SPECIFICATION Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
05/29/2003	1002/769 VERDICT FOR PLAINTIFF COUNT 4 COMPLICITY TO AGGRAVATED ROBBERY Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
05/29/2003	1002/770 VERDICT FOR PLAINTIFF COUNT FOUR - VERDICT ON FIREARM SPECIFICATION Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
06/03/2003	MOTION TO MERGE DEATH SPECIFICATIONS FILED BY THE DEFENDANT'S ATTORNEY	\$0.00	
06/03/2003	MOTION TO PROHIBIT READMISSION OF CERTAIN EXHIBITS FROM THE FIRST TRIAL PHASE FILED BY THE DEFENDANT'S ATTORNEY'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ	\$0.00	
06/03/2003	MOTION TO PROHIBIT REFERENCE TO THE NATURE AND CIRCUMSTANCES OF THE OFFENSES AT CERTAIN TIMES FILED BY THE DEFENDANT'S ATTORNEY	\$0.00	
06/03/2003	MOTION TO PROHIBIT REFERENCE TO THE NATURE AND CIRCUMSTANCES OF THE OFFENSES AT CERTIN TIMES FILED BY THE DEFENDANT'S ATTORNEY	\$0.00	
06/03/2003	MOTION TO PROHIBIT IMPROPER COMMENT BY PROSECUTOR ON DEFENDANT'S UNSWORN STATEMENT FILED BY THE DEFENDANT'S ATTORNEY	\$0.00	
06/03/2003	PROPOSED INSTRUCTION TO JURY FILED BY THE DEFENDANT'S ATTORNEY	\$0.00	
06/05/2003	1003/391 JURY FINDING AND RECOMMENDATION OF DEATH SENTENCE. COUNT ONE SPECIFICATION ONE: AGGRAVATED BURGLARY Amount Owed: \$4.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$4.00	
06/05/2003	1003/393 JURY FINDING AND RECOMMENDATION OF DEATH SENTENCE. COUNT ONE SPECIFICATION TWO: AGGRAVATED ROBBERY Amount Owed: \$4.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$4.00	
06/13/2003	SENTENCING HEARING 06/20/2003 01:30 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
06/16/2003	1003/911 THE COURT FINDS THAT THERE IS NO AUTHORITY TO ORDER A PRE-SENTENCE INVESTIGATION AND REPORTS, AS WAS ORDERED BY THE COURT ON 6/4/03. AS SUCH A REPORT MAY BE PREPARED ONLY AT THE REQUEST OF THE DEFT AND AS THE DEFT HAS NOT MADE SUCH A REQUEST,THE DIRECTIVE THAT SUCH A REPORT BE PREPARED IS RESCINDED Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
06/20/2003	1004/263 JURORS EXCUSED WITHOUT OBJECTION BY COUNSEL. SEE J/E Amount Owed: \$16.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$16.00	
06/20/2003	1004/271 JURORS EXCUSED FOR CAUSE DURING THE TRIAL. SEE J/E Amount Owed: \$8.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$8.00	
06/20/2003	1004/275 OPINION OF THE COURT IMPOSING DEATH SENTENCE AND FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING IMPOSITION OF DEATH SENTENCE. SEE J/E Amount Owed: \$34.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$34.00	
06/23/2003	POST SENTENCING RIGHTS FILED BY PROSECUTOR'S OFFICE	\$0.00	
06/24/2003	COMPLETE RECORD Amount Owed: \$20.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$20.00	
06/24/2003	STENOGRAPHER FEE Amount Owed: \$25.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$25.00	
06/24/2003	WARRANT TO CONVEY TO OHIO REFORMATORY FOR WOMEN ISSUED TO SHERIFF ON 6-24-03	\$0.00	

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
06/24/2003	1004/449 SENTENCING: 6/4/03 DEFT IS SENTENCED TO DEATH ON 1/11/04 ON COUNT ONE. DEFT SENTENCED TO THE OHIO REFORMATORY FOR WOMEN AT MARYSVILLE OHIO FOR 10 YEARS ON COUNT 3 PLUS A MANDATORY TERM OF 3 YEARS ON THE FIREARM SPECIFICATION TO BE SERVED PRIOR TO AND CONSECUTIVE TO THE SENTENCE IMPOSED IN COUNT 3; 10 YEARS ON COUNT 4 PLUS A MANDATORY TERM OF 3 YEARS ON THE FIREARM SPECIFICATION TO BE SERVED PRIOR TO AND CONSECUTIVE TO THE SENTENCE IMPOSED IN COUNT 4, SENTENCE IN COUNT 4 TO BE SERVED CONSECUTIVELY TO THE SENTENCE IMPOSED IN COUNT THREE. FIREARM SPECIFICATIONS IN COUNT THREE AND COUNT FOUR SHALL MERGE AS ONE SENTENCE IN COUNT THREE AS A MATTER OF LAW. DEFT TO PAY COSTS. 6/24/03 COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ Amount Owed: \$8.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$8.00	
06/24/2003	POSTAGE Amount Owed: \$1.11 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$1.11	
06/25/2003	1004/453 WRIT TO CONVEY PRISONER FOR EXECUTION OF PENALTY Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
06/25/2003	EXECUTION OF COSTS RETURNED ENDORSED BY SHERIFF Amount Owed: \$5.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$5.00	
06/30/2003	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT DONNA ROBERTS SHERIFF ALTIERE Amount Owed: \$82.30 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$82.30	
07/23/2003	NOTICE OF COMMITMENT AND CALCULATION OF SENTENCE FILED BY OHIO DEPT. OF REHABILITATION/CORRECTION	\$0.00	
08/05/2003	1008/468 THE STATE OF OHIO PUBLIC DEFENDER'S OFFICE IS APPOINTED AS COUNSEL FOR THE DEFT IN HER APPEAL OF THIS MATTER. 8/6/03 COPIES SENT TO: PROSECUTOR, J INGRAM & J YUHASZ Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
08/06/2003	POSTAGE Amount Owed: \$1.11 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$1.11	
08/18/2003	ORDER TO FILE RECORD WITH SUPREME COURT BY 10/14/03 Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
12/05/2003	PETITIONER DONNA ROBERT'S MOTION FOR APPOINTMENT OF COUNSEL FILED BY THE DEFENDANT ALSO MEMORANDUM IN SUPPORT OF PETITIONER DONNA ROBERT'S MOTION FOR APPOINTMENT OF COUNSEL FILED BY THE DEFENDANT DONNA MARIE ROBERTS.	\$0.00	
01/20/2004	APPELLANTS NOTICE OF APPEAL FOR DELAYED APPEAL IN THE SUPREME COURT OF OHIO FILED.	\$0.00	
01/29/2004	RECORD TRANSMITTED TO THE SUPREME COURT INCLUDING ORIGINAL PAPERS,TRANSCRIPTS (28 VOLUMES), AND EXHIBITS WITH INDEX BY PERSONAL DELIVERY FROM THE TRUMBULL COUNTY SHERIFFS DEPARTMENT.COPIES OF INDEX SENT TO COUNSEL OF RECORD. Amount Owed: \$1.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 123746 Date: 04/29/2008	\$1.00	
02/02/2004	COPY OF EXHIBIT OF RECORD OF DEATH PENALTY CASE FROM THE SUPREME COURT OF OHIO	\$0.00	
02/13/2004	HEARING 03/12/2004 01:00 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2	\$0.00	
02/27/2004	MOTION FOR WARRANT FOR REMOVAL FILED BY PROSECUTOR'S OFFICE	\$0.00	

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
02/27/2004	ONE CERTIFIED COPY OF WARRANT FOR REMOVAL AND COPY OF MOTION FOR WARRANT OF REMOVAL AND WARRANT TO CONVEY TO TRUMBULL COUNTY JAIL ISSUED TO THE SHERIFF ON 2-27-04	\$0.00	
02/27/2004	1024/551 ORDER ON WARRANT TO CONVEY Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
03/15/2004	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT SHERIFF ALTIERE Amount Owed: \$240.50 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 132122 Date: 08/25/2008	\$240.50	
03/23/2004	1026/435 THE COURT FINDS THAT THERE IS A CONFLICT OF INTEREST WITH THE PUBLIC DEFENDERS OFFICE. ATTYS DAVID DOUGHTEN AND PATTY SMITH APPOINTED AS COUNSEL FOR DEFT IN HER APPEAL. THE ADDRESS FOR ATTYS IS 4403 ST CLAIR AVE, CLEVELAND OH 44103 (216)361-1112 3/23/04 COPIES SENT TO: K CULSHAW, R TROUTMAN, J WILHELM, D WATKINS, C BECKER, K BAILEY & L ANNOS. CC TO THE OHIO SUPREME COURT Amount Owed: \$4.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$4.00	
03/23/2004	POSTAGE Amount Owed: \$2.96 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.96	
04/14/2004	1028/385 ORDER APPOINTING COUNSEL FOR POST CONVICTION PETITION AND SETTING FEES. 4/14/04 COPIES SENT TO: J INGRAM, J JUHASZ, D BODIKER, J WILHELM, S BOLTON, D MARGURGER, A MILLETTE, D WATKINS, C BECKER, K BAILEY & L ANNOS Amount Owed: \$4.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
04/14/2004	POSTAGE Amount Owed: \$4.07 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$4.07	
07/22/2004	MOTION FOR SUBSTITUTION OF COUNSEL FILED BY THE THE DEFENDANT'S ATTORNEY DAVID L DOUGHTEN AND ATTORNEY PATRICIA J SMITH	\$0.00	
08/20/2004	1039/213 MOTION FOR SUBSTITUTION OF COUNSEL IS GRANTED Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
09/09/2004	JOINT MOTION TO TOLL FILING DATE OF POST CONVICTION PETITION FILED BY ATTY LUWAYNE ANNOS	\$0.00	
09/09/2004	1040/696 PURSUANT TO A JOINT MOTION FILED BY COUNSEL FOR DEFT DONNA ROBERTS AND COUNSEL FOR THE STATE OF OHIO, THIS COURT IN THE INTEREST OF JUSTICE WILL CONSTRUE DEFTS POSTCONVICTION PETITION TIMELY FILED IF IT IS TIME-STAMPED BY THE CLERK OF COURTS ON OR BEFORE 9/25/04. 9/9/04 COPIES SENT TO: PROSECUTOR, J INGRAM, J YUHASZ, D BODIKER, J WILHELM & D DOUGHTEN Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
09/09/2004	POSTAGE Amount Owed: \$2.22 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.22	
09/24/2004	PETITION TO VACATE OR SET ASIDE SENTENCE FILED BY ATTORNEY DAVID DOUGHTEN COUNSEL FOR PETITIONER ALSO EXHIBIT B FILED NATHANIEL JACKSON'S VIDEO STATEMENT FILED.SERVED A COPY OF PETITION TO THE TRUMBULL COUNTY PROSECUTORS OFFICE ON THIS DATE.	\$0.00	
10/01/2004	MOTION TO EXTEND TIME TO RESPONSE FILED BY THE PROSECUTOR'S OFFICE	\$0.00	

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Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
10/07/2004	1042/898 PURSUANT TO A JOINT MOTION FILED BY COUNSEL FOR DEFT DONNA ROBERTS AND COUNSEL FOR THE STATE OF OHIO, THIS COURT, IN THE INTEREST OF JUSTICE, WILL CONSTRUE DEFTS POSTCONVICTION PETITION TIMELY FILED IF IT IS TIME-STAMPED BY THE CLERK OF COURTS ON OR BEFORE 9/25/04. 10/7/04 COPIES SENT TO: PROSECUTOR, J INGRAM, J YUHASZ, D BODIKER, J WILHELM & D DOUGHTEN Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
10/07/2004	1042/899 PURSUANT TO A MOTION BY THE PLAINTIFF-RESPONDENT, THE STATE OF OHIO, AND R.C. 2953.21 (D), THIS COURT FIXES THE DUE DATE FOR THE STATE'S RESPONSE BY ANSWER OR MOTION AT 11/3/04. THE STATE, PER MOTION, HAS SHOWN GOOD CAUSE TO EXTEND THE DUE DATE FROM 10/4/04 TO 11/3/04. 10/7/04 COPIES SENT TO: PROSECUTOR & D DOUGHTEN Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
10/25/2004	FIRST AMENDED PETITION TO VACATE OR SET ASIDE SENTENCE WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
11/02/2004	MOTION FOR SUMMARY JUDGMENT WITH SERVICE FILED BY ATTY LUWAYNE ANNOS	\$0.00	
11/03/2004	COPY OF MERIT BRIEF OF PLTF/APPLEE OF STATE OF OHIO FILED BY PROSECUTOR	\$0.00	
12/01/2004	PETITIONER'S MOTION TO TRANSFER THE RECORD OF NATHANIEL JACKSON TO THE CAUSE OF ACTION FILED BY THE DEFENDANT'S ATTORNEY DAVID L DOUGHTEN	\$0.00	
12/01/2004	PETITIONER'S MOTION IN OPPOSITION TO STATE'S MOTION FOR SUMMARY JUDGMENT FILED BY THE DEFENDANT'S ATTORNEY DAVID DOUGHTEN	\$0.00	
12/01/2004	MOTION FOR LEAVE OF COURT TO CONDUCT DISCOVERY FILED BY THE DEFENDANT'S ATTORNEY DAVID DOUGHTEN	\$0.00	
01/24/2005	FILE SIGNED OUT TO JUDGE STUARD ON 1-25-05	\$0.00	
02/11/2005	1052/303 FINDINGS OF FACT AND CONCLUSIONS OF LAW DISMISSING PETITIONERS ORIGINAL AND FIRST AMENDED PETITION FOR POST CONVICTION RELIEF Amount Owed: \$28.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$28.00	
02/11/2005	1052/709 DEFENDANT-PETITIONER DONNA ROBERTS' MOTION FOR LEAVE OF COURT TO CONDUCT DISCOVERY FILED DECEMBER 1, 2004 IS OVERRULED AS MOOT. MOTION TO TRANSFER THE RECORD OF NATHANIEL JACKSON TO THIS CASUE OF ACTION IS ALSO DENIED AS MOOT. 2/14/05 COPIES SENT TO: J INGRAM, J JUHASZ, D BOKER, J WILHELM, D DOUGHTEN, S BOLTEN, D MARBURGER, A MILLETTE, A WATKINS, C BECKER, D BODIKER, K BAILEY, L ANNOS Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
02/14/2005	POSTAGE Amount Owed: \$4.81 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$4.81	
02/23/2005	1053/026 ORDER FOR CLERK OF COURTS TO IMMEDIATELY SERVE A COPY OF THIS COURT'S FINDINGS OF FACT AND CONCLUSIONS OF LAW FILED FEBRUARY 11, 2005 UPON ATTY DAVID DOUGHTEN COUNSEL FOR DEFENDANT-PETITIONER DONNA ROBERTS AND UPON TRUMBULL COUNTY PROSECUTOR'S OFFICE COUNSEL FOR PLAINTIFF RESPONDENT. 2/24/05 COPIES SENT: ATTY D DOUGHTEN, PROSECUTOR Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$2.00	
03/01/2005	MOTION FOR APPOINTMENT OF APPELLATE COUNSEL WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
03/17/2005	MOTION FOR LEAVE TO FILE DELAYED APPEAL AND NOTICE OF APPEAL TO THE 11TH APPELLATE COURT FILED BY ATTY D DOUGHTEN	\$0.00	
03/30/2005	1056/564 APPROVAL OF PAYMENT OF COUNSEL FEES CC: AUDITOR Amount Owed: \$12.00 Paid Before Conversion: \$0.00 Receipt Number: Receipt: 128021 Date: 06/30/2008	\$12.00	
09/13/2006	NOTICE FILE REQUESTED BY JUDGE STUARD FROM CLERK'S OFFICE	\$0.00	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=zn2EEuO-zZihifOIUXab9y1*vCb0JzvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 12/22

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
10/10/2006	ORDER FROM SUPREME COURT OF OHIO. JUDGMENT OF THE COURT OF COMMON PLEAS IS AFFIRMED IN PART, VACATED IN PART AND THIS CAUSE IS REMANDED TO THE TRIAL COURT CONSISTENT WITH THE OPINION RENDERED HEREON. SEE JE	\$0.00	
10/10/2006	ORDERED BY THE SUPREME COURT OF OHIO THAT THE MOTION FOR RECONSIDERATION IN THIS CASE IS DENIED	\$0.00	
11/01/2006	HEARING SET: Event: STATUS HEARING Date: 12/06/2006 Time: 9:00 am Judge: STUARD, JOHN M Location: COURTROOM 2 Result: TO BE RESET		
11/01/2006	NOTICE SENT: SPEEDY MAILER Sent on: 11/01/2006 10:10:21		
12/04/2006	MOTION FOR APPOINTMENT OF CO-COUNSEL WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
12/04/2006	MOTION FOR APPROPRIATION OF FUNDS FOR EXPERT ASSISTANCE WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
12/04/2006	MOTION FOR RELEASE OF RECORDS WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
12/06/2006	HEARING SET: The following event: STATUS HEARING scheduled for 12/06/2006 at 9:00 am has been rescheduled as follows: Event: STATUS HEARING Date: 01/17/2007 Time: 3:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: TO BE RESET		
12/06/2006	NOTICE SENT: SPEEDY MAILER Sent on: 12/06/2006 12:31:39		
12/08/2006	MOTION FOR APPOINTMENT OF CO-COUNSEL IS GRANTED	\$0.00	
01/17/2007	ORDERED THAT ROBERT A DIXON BE APPOINTED AS CO COUNSEL Receipt: 128021 Date: 06/30/2008	\$2.00	
01/17/2007	ORDER DIRECTIVING EVALUATION OF DEFENDANT'S COMPETENCE TO STAND TRIAL 1-23-97 COPIES TO J. INGRAM, J. WILHELM, D DOUGHTON, R. DIXON, D. BODIKER, J JUHASZ AND PROS Receipt: 128021 Date: 06/30/2008	\$2.00	
01/17/2007	ORDER FOR FORENSIC EXAM 1-23-07 COPIES TO J. INGRAM, J. WILHELM, D. DOUGTEN, R. DIXON, D BODIKER, J JUHASZ AND PROS Receipt: 128021 Date: 06/30/2008	\$2.00	
01/23/2007	HEARING SET: The following event: STATUS HEARING scheduled for 01/17/2007 at 3:00 pm has been rescheduled as follows: Event: STATUS HEARING Date: 02/14/2007 Time: 3:30 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: TO BE RESET		
01/23/2007	NOTICE SENT: SPEEDY MAILER Sent on: 01/23/2007 14:22:06		
01/25/2007	MOTION FOR APPROPRIATION OF FUNDS FOR LEAD COUNSEL WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
01/29/2007	POSTAGE Receipt: 128021 Date: 06/30/2008	\$2.73	
01/29/2007	POSTAGE Receipt: 128021 Date: 06/30/2008	\$2.73	
02/01/2007	REGULAR MAIL SENT TO:ROBERTA A DIXON RETURNED BY POST OFFICE FOR: ATTEMPTED NOT KNOWN Receipt: 123746 Date: 04/29/2008	\$0.20	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=xn2EEuO-zZihifOIUXab9y1*vCb0jZvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 13/22

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
02/05/2007	ORDER FOR DAVID DOUGHTEN TO BE APPOINTED LEAD COUNSEL. 2-8-07 COPIES SENT TO D DOUGHTEN, J INGRAM, J WILHELM, R DIXON, D BODIKER, J JUHASZ AND PROS Receipt: 128021 Date: 06/30/2008	\$2.00	
02/08/2007	POSTAGE Receipt: 128021 Date: 06/30/2008	\$2.73	
02/26/2007	HEARING SET: The following event: STATUS HEARING scheduled for 02/14/2007 at 3:30 pm has been rescheduled as follows: Event: STATUS HEARING Date: 03/09/2007 Time: 2:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: SET STATUS CONFERENCE		
02/26/2007	NOTICE SENT: SPEEDY MAILER Sent on: 02/26/2007 11:04:16		
03/09/2007	HEARING SET: The following event: STATUS HEARING scheduled for 03/09/2007 at 2:00 pm has been rescheduled as follows: Event: STATUS HEARING Date: 05/11/2007 Time: 2:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: TO BE RESET		
03/09/2007	NOTICE SENT: SPEEDY MAILER Sent on: 03/09/2007 15:21:27		
04/24/2007	RECEIPT FROM THE SUPREME COURT OF OHIO. ALL ORIGINAL PAPERS (3 BOXES) WERE RETURNED TO THE TRUMBULL COUNTY CLERK OF COURTS	\$0.00	
05/01/2007	MOTION TO ALLOW FULL PRESENTATION OF MITIGATION AT SENTENCING REHEARING WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
05/01/2007	MOTION TO CONTINUE WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
05/25/2007	HEARING SET: The following event: STATUS HEARING scheduled for 05/11/2007 at 2:00 pm has been rescheduled as follows: Event: STATUS HEARING Date: 06/29/2007 Time: 10:30 am Judge: STUARD, JOHN M Location: COURTROOM 2 Result: SET SENTENCING		
05/25/2007	NOTICE SENT: SPEEDY MAILER Sent on: 05/25/2007 14:49:56		
06/28/2007	STATES MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO ALLOW FULL PRESENTATION OF MITIGATION AT SENTENCING HEARING AND MEMORANDUM IN OPPOSITION WITH SERVICE FILED BY PROSECUTOR	\$0.00	
06/29/2007	HEARING SET: Event: RE-SENTENCING HEARING Date: 08/15/2007 Time: 3:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: TO BE RESET		
06/29/2007	NOTICE SENT: SPEEDY MAILER Sent on: 06/29/2007 11:14:40		
07/13/2007	WARRANT FOR REMOVAL. Receipt: 128021 Date: 06/30/2008	\$2.00	
07/13/2007	MOTION FOR WARRANT REMOVAL FILED BY PROSECUTOR'S OFFICE	\$0.00	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=xn2EEuO-zZihifOIUXab9y1*vCb0JZvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 14/22

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
07/13/2007	WARRANT ISSUED TO SHERIFF ON 7-13-07	\$0.00	
08/02/2007	MOTION TO CONTINUE SENTENCING HEARING WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
08/02/2007	MOTION FOR VOLUNTARY RECUSAL OF TRIAL JUDGE, TO ASSIGN CASE TO VISITING JUDGE AND TO HOLD CASE IN ABEYANCE WITH SERVICE FILED BY ATTY DAVID DOUGHTEN	\$0.00	
08/07/2007	XXX COSTS SENT TO CORRECTIONAL FACILITY FOR INMATE PAYMENT OF COSTS	\$0.00	
08/15/2007	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT Receipt: 132122 Date: 08/25/2008	\$240.50	
08/17/2007	HEARING SET: The following event: RE-SENTENCING HEARING scheduled for 08/15/2007 at 3:00 pm has been rescheduled as follows: Event: RE-SENTENCING HEARING Date: 09/21/2007 Time: 2:30 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: TO BE RESET		
08/17/2007	NOTICE SENT: SPEEDY MAILER Sent on: 08/17/2007 14:44:40		
08/17/2007	HEARING SET: Event: HEARING Date: 09/20/2007 Time: 2:30 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: TO BE RESET		
08/17/2007	NOTICE SENT: SPEEDY MAILER Sent on: 08/17/2007 14:49:21		
08/27/2007	MOTION FOR WARRANT REMOVAL FILED BY PROSECUTOR'S OFFICE	\$0.00	
08/27/2007	WARRANT TO CONVEY TO TRUMBULL COUNTY JAIL ISSUED TO SHERIFF ON 8-28-07	\$0.00	
08/27/2007	WARRANT FOR REMOVAL. 8-28-07 ISSUED TO SHERIFF Receipt: 123746 Date: 04/29/2008	\$2.00	Image
09/05/2007	ORDER FOR CONTINUANCE OF TRIAL IS GRANTED TO ALLOW THE COMPETENCY EXAM TO BE CONDUCTED. SENTENCING DATE WILL BE SET AT COMPLETION OF COMPETENCY PROCEEDINGS. Receipt: 128021 Date: 06/30/2008	\$2.00	Image
09/11/2007	MOTION FOR APPROPRIATION OF FUNDS FOR EXPERT ASSISTANCE WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	
09/14/2007	DEFENDANTS MOTION TO ALLOW FULL PRESENTATION OF MITIGATION AT SENTENCING HEARING IS DENIED. 9-14-07 COPIES TO: PROS, J. INGRAM, D. DOUGHTEN Receipt: 128021 Date: 06/30/2008	\$2.00	Image
09/14/2007	POSTAGE Receipt: 123746 Date: 04/29/2008	\$0.82	
09/18/2007	MOTION TO PROFFER EVIDENCE FILED BY THE DEFENDANT WITH PROOF OF SERVICE ALSO MEMORANDUM IN SUPPORT FILED BY THE DEFENDANT'S ATTORNEY WITH PROOF OF SERVICE DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	
09/18/2007	MOTION TO PROFFER EVIDENCE APPENDIX PRISON RECORDS ALONG WITH EXHIBITS FILED BY THE DEFENDANT'S ATTORNEY FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	
09/19/2007	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT Receipt: 128021 Date: 06/30/2008 Receipt: 132122 Date: 08/25/2008	\$230.50	
09/20/2007	MOTION TO PROFFER EVIDENCE WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	
09/20/2007	MOTION FOR APPOINTMENT OF INDEPENDENT EXPERT AND FOR CONTINUANCE WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=xn2EEuO-zZihifOIUXab9y1*vCb0jZvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 15/22

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
09/21/2007	HEARING SET: The following event: HEARING scheduled for 09/20/2007 at 2:30 pm has been rescheduled as follows: Event: HEARING Date: 10/22/2007 Time: 1:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: COMPLETED		
09/21/2007	NOTICE SENT: SPEEDY MAILER Sent on: 09/21/2007 13:24:22		
09/21/2007	HEARING SET: The following event: RE-SENTENCING HEARING scheduled for 09/21/2007 at 2:30 pm has been rescheduled as follows: Event: RE-SENTENCING HEARING Date: 10/29/2007 Time: 1:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: SENTENCED		
09/21/2007	NOTICE SENT: SPEEDY MAILER Sent on: 09/21/2007 13:59:03		
10/02/2007	MOTION FOR WARRANT REMOVAL FILED BY PROSECUTOR'S OFFICE	\$0.00	
10/02/2007	JOURNAL ENTRY/ WARRANT FOR REMOVAL. Receipt: 128021 Date: 06/30/2008	\$2.00	Image
10/03/2007	WARRANT TO CONVEY TO TRUMBULL COUNTY JAIL ISSUED TO SHERIFF ON 10-3-07	\$0.00	
10/18/2007	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT Receipt: 132122 Date: 08/25/2008	\$240.50	
10/22/2007	MANDATE FROM COURT OF APPEALS. INSTANT APPEAL IS DISMISSED FOR LACK OF JURISDICTION. Receipt: 128021 Date: 06/30/2008	\$2.00	Image
10/29/2007	DEFT ROBERT'S SENTENCING MEMORANDUM WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	
10/29/2007	ORDERED THAT THE JURYS RECOMMENDATION IS ACCEPTED AND COURT DOES FIND THAT THE SENTENCE OF DEATH IS THE APPROPRIATE PENALTY IN THIS CASE. 10-29-07 COPIES TO: PROS, D. DOUGHTEN Receipt: 128021 Date: 06/30/2008	\$48.00	Image
10/29/2007	POSTAGE Receipt: 123746 Date: 04/29/2008	\$0.41	
11/06/2007	EXECUTION FOR COSTS IN FELONY ISSUED TO SHERIFF ON 11-6-07	\$0.00	
11/06/2007	WARRANT TO CONVEY TO OHIO REFORMATORY FOR WOMEN ISSUED TO SHERIFF ON 11-6-07	\$0.00	
11/06/2007	EXECUTION OF COSTS RETURNED ENDORSED BY SHERIFF Receipt: 128021 Date: 06/30/2008	\$5.00	
11/06/2007	WRIT TO CONVEY PRISONER FOR EXECUTION OF PENALTY ON OCT. 28, 2008. 11-6-07 ISSUED TO SHERIFF Receipt: 123746 Date: 04/29/2008	\$2.00	Image
11/06/2007	SENTENCING: ON OCT. 29, 2007 DEFENDANT RE-SENTENCED TO DEATH ON OCT. 28, 2008 ON COUNT 1; AND IMPRISONED FOR 10 YEARS ON COUNT 3; PLUS MANDATORY TERM OF 3 YEARS OF FIREARM SPECIFICATION TO BE SERVED PRIOR TO AND CONSECUTIVE TO COUNT 3; 10 YEARS ON COUNT 4, PLUS MANDATORY 3 YEARS ON FIREARM SPECIFICATION TO BE SERVED PRIOR TO AND CONSECUTIVE TO SENTENCE IMPOSED IN COUNT 4, SENTENCE IN COUNT 4 TO BE SERVED CONSECUTIVELY TO SENTENCE IMPOSED ON COUNT 3. FIREARM SPECIFICATION IN COUNT 3 & 4 SHALL MERGE AS ONE SENTENCE IN COUNT 3. 11-6-07 COPIES TO: PROS, D. DOUGHTEN, BUREAU OF SENTENCE COMPUTATION Receipt: 128021 Date: 06/30/2008	\$6.00	Image
11/06/2007	POSTAGE Receipt: 123746 Date: 04/29/2008	\$0.82	
11/07/2007	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT Receipt: 132122 Date: 08/25/2008 Receipt: 132123 Date: 08/25/2008	\$240.50	
11/15/2007	APPROVAL OF PAYMENT OF COUNSEL FEES FILED Receipt: 128021 Date: 06/30/2008	\$6.00	Image
12/03/2007	MOTION TO APPOINT APPELLATE COUNSEL WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=xn2EEuO-zZihifOIUXab9y1*vCb0JZvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 16/22

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
12/14/2007	ORDER TO CERTIFY RECORD IN DEATH PENALTY CASE BY 2-11-08 FILED BY THE SUPREME COURT OF OHIO	\$0.00	
12/18/2007	TRANSCRIPT OF PROCEEDINGS FILED BY MARY ANN MILLS COURT REPORTER	\$0.00	
12/18/2007	DEFTS EXHIBIT A, DEFTS EXHIBIT B AND STATES EXHIBIT 1 FILED BY MARY ANN MILLS COURT REPORTER	\$0.00	
01/11/2008	APPROVAL OF PAYMENT OF COUNSEL FEES FILED Receipt: 128021 Date: 06/30/2008	\$8.00	Image
01/11/2008	ORDERED THAT ATTY JEFFREY J HELMICK TO REPRESENT DEFENDANT FOR PURPOSES OF APPEAL. 1-11-08 COPIES TO: PROS, J. HELMICK Receipt: 128021 Date: 06/30/2008	\$2.00	Image
01/11/2008	POSTAGE Receipt: 123746 Date: 04/29/2008	\$0.41	
02/07/2008	INDEX PREPARED AND SENT TO ATTY'S.	\$0.00	
02/12/2008	RECEIPT FROM THE SUPREME COURT OF OHIO FOR FOUR BOXES WHICH INCLUDE THE CASE FILE, EXHIBITS AND TRANSCRIPTS OF THIS CASE	\$0.00	
02/21/2008	RECEIPT FROM SUPREME COURT OF OHIO FOR 6 BOXES OF EXHIBITS AND ONE POSTER	\$0.00	
06/24/2008	MOTION FOR APPOINTMENT OF COUNSEL FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
07/01/2008	COUNTY FEES WITNESS FEES FOR CHRIS MONYAK, JAMES DANIEL AND SANTIAGO MASON Receipt: 128057 Date: 07/01/2008	\$56.00	
07/09/2008	MOTION FOR APPOINTMENT OF COUNSEL IS GRANTED. Receipt: 132122 Date: 08/25/2008	\$4.00	Image
07/09/2008	ATTY DAVID L DOUGHTEN IS REAPPOINTED AS COUNSEL FOR DEFENDANT. 7-10-08 COPIES TO: PROS, D. DOUGHTEN Receipt: 132122 Date: 08/25/2008	\$2.00	Image
07/09/2008	POSTAGE Receipt: 132122 Date: 08/25/2008	\$0.42	
08/20/2008	APPENDIX TO DONNA ROBERTS FILED ALONG WITH EXHIBIT A FILED BY DAVID L DOUGHTEN	\$0.00	
08/20/2008	PETITION TO VACATE OR SET ASIDE SENTENCE FILED BY DAVID L DOUGHTEN	\$0.00	Image
08/20/2008	APPENDIX TO DONNA ROBERTS ALONG WITH EXCHIBIT K FILED BY DAVID L DOUGHTEN	\$0.00	Image
08/22/2008	MOTION TO EXTEND TIME TO RESPOND FILED WITH PROOF OF SERVICE LUWAYNE ANNOS (Attorney) on behalf of STATE OF OHIO (PLAINTIFF)	\$0.00	Image
08/26/2008	COUNTY FEES *WITNESS FEES Receipt: 134296 Date: 09/25/2008 Receipt: 136816 Date: 11/03/2008	\$283.90	
09/02/2008	ORDERED THAT DEFENDANTS PETITION TO A FIXED DATE OF SEPT 30, 2008 IS GRANTED. 9-2-08 COPIES TO: PROS, D. DOUGHTEN Receipt: 134296 Date: 09/25/2008	\$2.00	Image
09/02/2008	POSTAGE Receipt: 134296 Date: 09/25/2008	\$0.42	
09/17/2008	MOTION FOR APPROPRIATION OF FUNDS FOR EXPERT ASSISTANCE (INDEPENDENT PSYCHOLOGIST) WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
09/17/2008	MOTION FOR APPROPRIATION OF FUNDS FOR EXPERT ASSISTANCE (NEUROPSYCHOLOGIST) WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
09/17/2008	MOTION TO STAY WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
09/17/2008	DONNA ROBERT'S MOTION FOR LEAVE OF COURT TO CONDUCT DISCOVERY WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
09/22/2008	STATES RESPONSE TO PETITIONERS MOTION TO STAY POSTCONVICTION PROCEEDINGS WITH SERVICE FILED BY PROSECUTOR	\$0.00	Image
09/22/2008	STATES OPPOSITION FOR APPOINTMENT OF FUNDS FOR EXPERT ASSISTANCE (INDEPENDENT PSYCHOLOGIST) WITH SERVICE FILED BY PROSECUTOR	\$0.00	Image
09/22/2008	STATES RESPONSE TO PETITIONERS MOTION FOR LEAVE OF COURT TO CONDUCT DISCOVERY WITH SERVICE FILED BY PROSECUTOR	\$0.00	Image
09/22/2008	STATES OPPOSITION FOR APPOINTMENT OF FUNDS FOR EXPERT ASSISTANCE (NEUROPSYCHOLOGIST) WITH SERVICE FILED BY PROSECUTOR	\$0.00	Image
09/25/2008	ORDERED THAT DEFENDANTS MOTION IS GRANTED. 9-26-08 COPIES TO: PROS, J. INGRAM Receipt: 136816 Date: 11/03/2008	\$2.00	Image
09/25/2008	POSTAGE Receipt: 136816 Date: 11/03/2008	\$0.42	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=xn2EEuO-zZihifOIUXab9y1*vCb0jZvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 17/22

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<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
10/02/2008	LETTER FILED BY DEFT REGARDING COURT COSTS	\$0.00	
10/29/2008	COUNTY FEES WITNESS FEES Receipt: 136592 Date: 10/29/2008 Receipt: 136816 Date: 11/03/2008	\$339.90	
11/03/2008	DEPOSIT FROM: OVERPAYMENT OF COURT COSTS Receipt: 136816 Date: 11/03/2008	\$281.41	
11/04/2008	REFUND OF OVERPAYMETN OF LEBANON CORRECTIONAL Voided on 11/19/2008.	\$0.00	
11/19/2008	REFUND OF DEPOSIT TO: OAKWOOD CORRECTIONAL INSTITUTION	\$281.41	
03/11/2013	MOTION TO APPOINT COUNSEL WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
04/08/2013	APPOINTMENT OF COUNSEL: ORDERED THAT ROBERT DIXON, OHIO REGISTRATION #0022466, 4403 ST. CLAIR AVENUE, CLEVELAND, OHIO 44103 BE APPOINTED AS SUBSTITUTE COUNSEL. 4/8/13--COPIES TO: PROS, ATTY J. INGRAM, ATTY A. MILLETTE, ATTY J. WILHELM, ATTY J. HELMICK, ATTY S. BOLTON, ATTY D. DOUGHTEN, ATTY R. DIXON, ATTY J. JUHASZ Receipt: 280467 Date: 08/18/2014	\$2.00	Image
04/08/2013	POSTAGE Receipt: 280467 Date: 08/18/2014	\$3.68	
04/24/2013	REGULAR MAIL ISSUED TO: JOSEPH E WILHELM RETURNED BY POST OFFICE FOR: RETURN TO SENDER, NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD	\$0.00	
11/18/2013	APPEAL FROM THE COURT OF COMMON PLEAS: THE DEATH SENTENCE IS VACATED AND THIS CAUSE IS REMANDED TO THE TRIAL COURT FOR RESENTENCING ON THE BASIS OF THE EXISTING RECORD, CONSISTENT WITH THE OPINION RENDERED HEREIN. IT IS FURTHER ORDERED THAT MANDATES BE SENT TO AND FILED WITH THE CLERK OF THE COURT OF APPEALS FOR TRUMBULL COUNTY AND THE COURT OF COMMON PLEAS FOR TRUMBULL COUNTY. Receipt: 280467 Date: 08/18/2014	\$9.00	Image
01/02/2014	RETURN OF RECORD OF DEATH PENALTY CASE FROM THE SUPREME COURT OF OHIO. CONTENTS ARE 4 LARGE BOXES AND 4 REGULAR BOXES. EXHIBITS SHARED WITH 01 CR 794 (STATE VS JACKSON) RETAINED BY THE SUPREME COURT FOR CONSIDERATION OF SUPREME COURT CASE NO. 2012-1644. ATTACHED LIST OF PHYSICAL EXHIBITS ARE ALSO RETURNED.	\$0.00	Image
03/25/2014	HEARING SET: Event: RE-SENTENCING HEARING Date: 04/30/2014 Time: 2:00 pm Judge: RICE, RONALD J Location: COURTROOM 2 Result: COMPLETED		
03/25/2014	NOTICE SENT: SPEEDY MAILER Sent on: 03/25/2014 15:47:33.48		
03/27/2014	NOTICE SENT: SPEEDY MAILER Sent on: 03/27/2014 10:52:01.91		
03/27/2014	HEARING SET: Event: CONFERENCE CALL Date: 03/28/2014 Time: 10:00 am Judge: RICE, RONALD J Location: COURTROOM 2 Result: COMPLETED		
03/28/2014	HEARING SET: Event: HEARING ON PENDING MOTIONS Date: 04/30/2014 Time: 11:00 am Judge: RICE, RONALD J Location: COURTROOM 2 Result: COMPLETED		
03/28/2014	NOTICE SENT: SPEEDY MAILER Sent on: 03/28/2014 11:45:42.97		
04/02/2014	MOTION FOR WARRANT REMOVAL FILED BY PROSECUTOR'S OFFICE	\$0.00	Image
04/02/2014	WARRANT TO CONVEY TO OHIO REFORMATORY FOR WOMEN ISSUED TO SHERIFF ON: APRIL 2, 2014	\$0.00	

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=xn2EEuO-zZihifOIUXab9y1*vCb0jZvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 18/22

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Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
04/02/2014	WARRANT FOR REMOVAL FOR A MOTIONS HEARING ON APRIL 30, 2014 @ 11:00 A.M. AND A RE-SENTENCING HEARING @ 2:00 P.M. 4/3/14--COPIES TO: PROS, J. INGRAM, A. MILLETTE, J. WHILHELM, L. ANNOS, S. BOLTON, D. DOUGHTEN, R. DIXON, D. BODIKER, J. JUHASZ Receipt: 280467 Date: 08/18/2014	\$3.00	Image
04/03/2014	MOTION TO APPOINT COUNSEL (DEATH PENALTY CASE) WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
04/03/2014	POSTAGE Receipt: 280467 Date: 08/18/2014	\$4.32	
04/10/2014	JE: ATTORNEY DAVID L. DAUGHTEN AND ATTORNEY ROBERT A. DIXON ARE HEREBY APPOINTED TO REPRESENT THE DEFENDANT, DONNA ROBERTS, IN THE ABOVE CAPTIONED CASE FOR THE SENTENCING HEARING SCHEDULED FOR APRIL 30, 2014. Receipt: 280467 Date: 08/18/2014	\$3.00	Image
04/17/2014	MOTION TO PRECLUDE A SENTENCE OF DEATH; OR IN THE ALTERNATIVE, ORDER A FULL PENALTY PHASE HEARING WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
04/23/2014	MOTION FOR CONTINUANCE OF SENTENCING HEARING WITH SERVICE FILED BY: DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
04/24/2014	REGULAR MAIL ISSUED TO: DAVID H BODIKER RETURNED BY POST OFFICE FOR: ATTEMPTED NOT KNOWN Receipt: 280467 Date: 08/18/2014	\$0.48	
04/24/2014	REGULAR MAIL ISSUED TO: JOSEPH E WILHELM RETURNED BY POST OFFICE FOR: ATTEMPTED NOT KNOWN Receipt: 280467 Date: 08/18/2014	\$0.48	
04/28/2014	WARRANT TO CONVEY RETURNED SHOWING SERVICE ON DEFENDANT Receipt: 282654 Date: 09/19/2014	\$471.00	Image
04/30/2014	NOTICE OF POST RELEASE CONTROL FILED AND SIGNED BY DONNA M ROBERTS (DEFENDANT) AND DAVID L DOUGHTEN (ATTORNEY FOR DEFENDANT)	\$0.00	Image
04/30/2014	OPINION OF THE COURT: FINDS OF FACT AND CONCLUSIONS OF LAW REGARDING IMPOSITION OF DEATH PENALTY. THE COURT HEREBY FINDS THE SENTENCE OF DEATH IS AN APPROPRIATE PENALTY FOR THE DEFENDANT DONNA MARIE ROBERTS IN THIS MATTER. Receipt: 280467 Date: 08/18/2014	\$69.00	Image
04/30/2014	INDIGENT APPLICATION FEE (\$25.00) NOTICE FILED Receipt: 280467 Date: 08/18/2014	\$25.00	Image
04/30/2014	JE: THIS WRIT OF EXECUTION TO CONVEY DONNA MARIE ROBERTS TO THE OHIO REFORMATORY FOR WOMEN OR OTHER FACILITY AS INSTRUCTED BY THE DIRECTOR FOR THE OHIO DEPARTMENT OF REHABILITATION AND CORRECTION WHERE SHE SHALL BE HELD UNTIL THE EXECUTION OF THE DEATH SENTENCE AGAINST DONNA MARIE ROBERTS. Receipt: 280467 Date: 08/18/2014	\$3.00	Image
04/30/2014	JE: THE COURT FINDS ROBERT'S MOTION TO PRECLUDE A SENTENCE OF DEATH; OR IN THE ALTERNATIVE, ORDER A FULL PENALTY PHASE HEARING IS DENIED. Receipt: 280467 Date: 08/18/2014	\$9.00	Image
04/30/2014	DEATH PENALTY SENTENCING: DEFENDANT SENTENCE ON APRIL 30, 2014 TO THE OHIO REFORMATORY FOR WOMEN. DEFENDANT SENTENCED TO DEATH ON COUNT ONE, SHALL SERVE AN IMPRISONMENT TERM OF 10 YEARS ON COUNT 3; PLUS A MANDATORY TERM OF 3 YEARS ON THE FIREARM SPECIFICATION TO BE SERVED PRIOR TO AND CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNT 3; SHALL SERVE AN IMPRISONMENT TERM OF 10 YEARS ON COUNT 4, PLUS A MANDATORY TERM OF 3 YEARS ON THE FIREARM SPECIFICATION TO BE SERVED PRIOR TO AND CONSECUTIVE TO THE SENTENCE IMPOSED IN COUNT 4, SENTENCE IN COUNT 4 TO BE SERVED CONSECUTIVELY TO THE SENTENCE IMPOSED ON COUNT 3 PLUS COSTS. 4/30/14-COPIES TO: PROS, J. INGRAM, A. MILLETTE, J. WILHELM, D. MARBURGER, S. BOLTON, D. DOUGHTEN, J. JUHASZ Receipt: 280467 Date: 08/18/2014	\$15.00	Image
04/30/2014	POSTAGE Receipt: 280467 Date: 08/18/2014	\$3.36	
05/01/2014	WARRANT TO CONVEY TO OHIO REFORMATORY FOR WOMEN ISSUED TO SHERIFF ON: MAY 1, 2014	\$0.00	
05/01/2014	EXECUTION FOR COSTS IN FELONY ISSUED TO SHERIFF ON: MAY 1, 2014	\$0.00	
05/01/2014	EXECUTION OF COSTS RETURNED ENDORSED BY SHERIFF Receipt: 280467 Date: 08/18/2014	\$5.00	Image
05/05/2014	STATES MOTION FOR NUNC PRO TUNC ENTRIES WITH PROOF OF SERVICE FILED BY LUWAYNE ANNOS (Attorney) on behalf of STATE OF OHIO (PLAINTIFF)	\$0.00	Image
05/05/2014	MOTION TO APPOINT APPELLATE COUNSEL DEATH PENALTY CASE WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
05/05/2014	WARRANT TO CONVEY RETURNED SHOWING SERVICE ON DEFENDANT	\$471.00	Image

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10/20/21, 11:18 AM

Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
05/12/2014	ORDER: ATTORNEY DAVID L. DOUGHTEN IS APPOINTED LEAD COUNSEL AND ROBERT L. DIXON IS APPOINTED AS CO-COUNSEL. Receipt: 280467 Date: 08/18/2014	\$3.00	Image
05/14/2014	REGULAR MAIL ISSUED TO: JOSEPH E WILHELM RETURNED BY POST OFFICE FOR: NO SUCH NUMBER Receipt: 280467 Date: 08/18/2014	\$0.48	
06/02/2014	MOTION TO CLARIFY COURTS SENTENCING OPINION FILED PURSUANT TO R.C. 2929.03(F) WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
06/03/2014	\$636.32 COSTS SENT TO CORRECTIONAL FACILITY FOR INMATE PAYMENT OF COSTS	\$0.00	Image
06/10/2014	OPINION OF THE COURT: NUNC PRO TUNC FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING IMPOSITION OF DEATH PENALTY. SEE JE Receipt: 280467 Date: 08/18/2014 Receipt: 282654 Date: 09/19/2014	\$72.00	Image
06/16/2014	ORDER TO CERTIFY RECORD WITH NOTICE OF APPEAL OF APPELLANT DONNA ROBERTS DEATH PENALTY APPEAL	\$0.00	Image
07/07/2014	APPROVAL OF PAYMENT OF COUNSEL FEES FILED 7/8/2014: CC TO AUDITOR. Receipt: 280467 Date: 08/18/2014	\$12.00	Image
07/17/2014	APPROVAL OF PAYMENT OF COUNSEL FEES CC AUDITOR 7/18/14 Receipt: 280467 Date: 08/18/2014	\$6.00	Image
07/22/2014	APPROVAL OF PAYMENT OF COUNSEL FEES FILED CC AUDITOR 7/24/14 Receipt: 280467 Date: 08/18/2014	\$18.00	Image
09/15/2014	RECORD TRANSPORTED TO THE SUPREME COURT INCLUDING ORIGINAL PAPERS (1 BOX), TRANSCRIPTS (28 VOLUMES IN 3 BOXES), NUMBERED INDEX AND LIST OF EXHIBITS BY PERSONAL DELIVERY FROM THE TRUMBULL COUNTY CLERK OF COURTS ON SEPTEMBER 15, 2014. COPIES OF INDEX ALSO SENT TO COUNSEL OF RECORD (L ANNOS, D DOUGHTEN, R DIXON) Receipt: 282654 Date: 09/19/2014	\$1.00	Image
09/15/2014	TRANSCRIPT OF PROCEEDINGS FILED BY: OFFICIAL COURT REPORTER: RICHELLE J. GUERRIERI	\$0.00	
09/18/2014	RECEIPT OF RECORD DEATH PENALTY CASE (4 BOXES) TRANSMITTED TO THE CLERK OF COURT OF THE SUPREME COURT OF OHIO BY THE TRUMBULL COUNTY CLERK OF COURTS ON 09/15/14 Receipt: 282654 Date: 09/19/2014	\$1.00	Image
09/23/2014	EXHIBITS (ONE EXPANDABLE FOLDER) AND LIST OF EXHIBITS (SEE IMAGE) TRANSPORTED TO THE SUPREME OF COURT OF OHIO BY PERSONAL DELIVERY FROM THE TRUMBULL COUNTY CLERK OF COURTS ON SEPTEMBER 26, 2014	\$0.00	Image
12/15/2014	MEMO ENTRY: 4 BOXES OF EVIDENCE, 1 BOX COPIES OF THE RECORD AND 3 BOXES OF TRANSCRIPTS TRANSPORTED TO THE EVIDENCE ROOM ON	\$0.00	
02/17/2015	MOTION TO AMEND POST-CONVICTION PETITION PURSUANT TO R.C.2929.03(F) FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
02/26/2015	MOTION TO EXTEND TIME TO RESPOND WITH PROOF OF SERVICE FILED BY LUWAYNE ANNOS (Prosecuting Attorney) on behalf of STATE OF OHIO (PLAINTIFF)	\$0.00	Image
03/05/2015	HEARING SET: Event: MOTION Date: 03/31/2015 Time: 1:30 pm Judge: RICE, RONALD J Location: COURTROOM 2 Result: COMPLETED		
03/05/2015	NOTICE SENT: SPEEDY MAILER Sent on: 03/05/2015 14:40:00.79		
03/05/2015	NOTICE SENT: SPEEDY MAILER Sent on: 03/05/2015 14:42:09.60		
07/20/2015	AGREED JUDGMENT ENTRY SUBMITTED BY ATTORNEY DAVID L. DOUGHTEN AND ATTORNEY LUWAYNE ANNOS	\$0.00	Image
08/19/2015	AGREED JUDGMENT ENTRY. SEE JE.	\$6.00	Image

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10/20/21, 11:18 AM

Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
08/19/2015	<p>Issue Date: 08/19/2015 Service: FINAL APPEALABLE ORDER Method: REGULAR MAIL - ENVELOPE Cost Per: \$</p> <p>ROBERTS, DONNA MARIE 055 276 OAKWOOD CORRECTIONAL FACILITY 3200 N WEST STREET LIMA, OH 45801 Tracking No: R000005205</p> <p>STATE OF OHIO c/o ATTY: ANNOS, LUWAYNE TRUMBULL COUNTY ASSISTANT PROSECUTOR 160 HIGH STREET NW-4TH FLOOR WARREN, OH 44481 Tracking No: R000005206</p>		
08/28/2015	MOTION FOR SUMMARY JUDGMENT WITH PROOF OF SERVICE FILED BY LUWAYNE ANNOS (Attorney) on behalf of STATE OF OHIO (PLAINTIFF)	\$0.00	Image
09/04/2015	<p>HEARING SET: Event: MOTION FOR SUMMARY JUDGMENT (MEMO) Date: 10/30/2015 Time: 8:00 am Judge: RICE, RONALD J Location: COURTROOM 2</p> <p>Result: TAKEN UNDER ADVISEMENT</p>		
09/04/2015	<p>NOTICE SENT:</p> <p>SPEEDY MAILER Sent on: 09/04/2015 08:37:29.79</p>		
11/16/2015	LETTER FILED BY: DONNA MARIE ROBERTS (DEFENDANT); PRO SE (REQUEST FOR COPIES OF TRANSCRIPTS)	\$0.00	Image
07/28/2017	ENTRY: RECONSIDERATION IS DENIED FILED BY SUPREME COURT	\$6.00	Image
04/12/2018	NOTICE FROM THE SUPREME COURT OF OHIO. THE FOLLOWING RECORD IN THE ABOVE-NAMED CASE WAS RECEIVED BY THE UNDERSIGNED. LIST OF CONTENTS: 4 BOXES	\$0.00	Image
04/02/2019	<p>HEARING SET: Event: MEMO ONLY Date: 06/07/2019 Time: 8:00 am Judge: RICE, RONALD J Location: COURTROOM 2</p> <p>Result: UNDER ADVISEMENT</p>		
04/02/2019	<p>NOTICE SENT:</p> <p>SPEEDY MAILER Sent on: 04/02/2019 15:53:47.34</p>		
04/02/2019	<p>NOTICE SENT:</p> <p>SPEEDY MAILER Sent on: 04/02/2019 15:54:50.16</p>		
06/05/2019	NOTICE OF MEMORANDUM IN SUPPORT WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
06/07/2019	RENEWED MOTION FOR SUMMARY JUDGMENT WITH PROOF OF SERVICE FILED BY CHRISTOPHER D. BECKER (Attorney) on behalf of STATE OF OHIO (PLAINTIFF)	\$0.00	Image
06/13/2019	OBJECTION TO SUMMARY JUDGMENT WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image

https://courts.co.trumbull.oh.us/eservices/search.page.7.2?x=xn2EEuO-zZihifOIUXab9y1*vCb0jZvyTH3M9h2L2DC870IIAL8Nw04scTmH5kb-OnMY... 21/22

10/20/21, 11:18 AM

Case Details - CourtView Justice Solutions

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
11/20/2019	<p>Issue Date: 11/20/2019 Service: FINAL APPEALABLE ORDER Method: REGULAR MAIL - ENVELOPE Cost Per: \$</p> <p>ROBERTS, DONNA MARIE c/o ATTY: DIXON, ROBERT A 4403 ST CLAIR AVENUE CLEVELAND, OH 44103 Tracking No: R000101953</p> <p>STATE OF OHIO c/o ATTY: MUSICK, ASHLEIGH ASSISTANT PROSECUTING ATTORNEY 160 HIGH ST, N.W. 4TH FLOOR WARREN, OH 44481 Tracking No: R000101954</p>		
11/20/2019	POSTAGE	\$0.50	
11/20/2019	JE: THE PETITION FOR POST-CONVICTION RELIEF FILED BY DEFENDANT IS DENIED WITHOUT HEARING. SEE JE. FAP.	\$18.00	Image
12/02/2019	MOTION TO APPOINT APPELLATE COUNSEL (DEATH PENALTY CASE) WITH CERTIFICATE OF SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT); ROBERT A DIXON (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)	\$0.00	Image
12/10/2019	JE: ATTORNEY ROBERT A. DIXON AND ATTORNEY DAVID L. DOUGHTEN ARE APPOINTED AS APPELLATE COUNSEL.	\$3.00	Image
12/18/2019	NOTICE OF APPEAL TO 11TH DISTRICT COURT OF APPEALS WITH DOCKETING STATEMENT, AFFIDAVIT OF INDIGENCY AND COPY OF JE FILED BY: DAVID L DOUGHTEN (Attorney) on behalf of DONNA ROBERTS (DEFENDANT); ROBERT A DIXON (Attorney) on behalf of DONNA ROBERTS (DEFENDANT)	\$0.00	Image
12/18/2019	APPROVAL OF PAYMENT OF COUNSEL FEES FILED; CC: TRUMBULL COUNTY AUDITOR'S OFFICE	\$12.00	Image
08/25/2020	MANDATE FROM COURT OF APPEALS; JUDGMENT OF THE TRUMBULL COUNTY COURT OF COMMON PLEAS IS AFFIRMED. COSTS TO APPELLANT.	\$3.00	
10/06/2020	IT IS SO ORDERED THAT THE MOTION FOR STAY OF EXECUTION IS GRANTED AND IT IS FURTHER ORDERED THAT THIS STAY SHALL REMAIN IN EFFECT UNTIL EXHAUSTION OF ALL STATE POSTCONVICTION PROCEEDINGS, INCLUDING ANY APPEALS, FILED BY THE SUPREME COURT OF OHIO	\$0.00	Image

The Supreme Court of Ohio

FILED

AUG 02 2006

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

State of Ohio

Case No. 03-1441

v.

JUDGMENT ENTRY

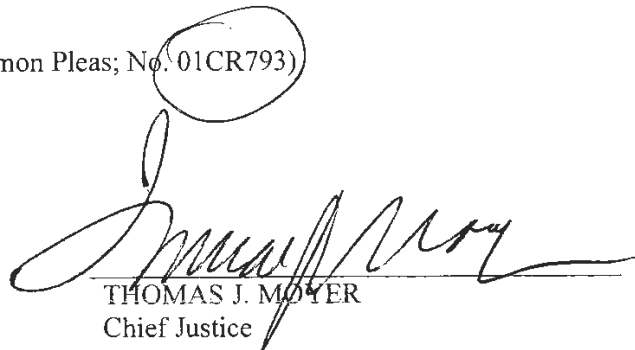
Donna Marie Roberts

APPEAL FROM THE
COURT OF COMMON PLEAS

This cause, here on appeal from the Court of Common Pleas for Trumbull County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is affirmed in part, vacated in part, and this cause is remanded to the trial court, consistent with the opinion rendered herein.

It is further ordered that a mandate be sent to the Court of Common Pleas for Trumbull County to carry this judgment into execution; and that a copy of this entry be certified to the Clerk of the Court of Common Pleas for Trumbull County for entry.

(Trumbull County Court of Common Pleas; No. 01CR793)


THOMAS J. MOYER
Chief Justice

CERTIFY that this document is a true and accurate copy of the judgment entry of the Supreme Court of Ohio filed on 8/2/06 in Case No. 03-1441 and constitutes the mandate of the Court under S. Ct. Prac. R. XI, Section 4.

witness, I have subscribed my name and affixed the seal of the Supreme Court of Ohio on this 4th day of October, 2006.

MARCIA J. MENGEL, Clerk of Court
by Debbie, Deputy Clerk

VOL 1110 PAGE 535

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The Supreme Court of Ohio

FILED

OCT 04 2006

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

State of Ohio

Case No. 03-1441

v.

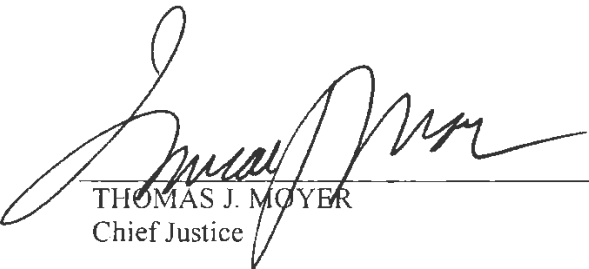
RECONSIDERATION ENTRY

Donna Marie Roberts

Trumbull County

It is ordered by the Court that the motion for reconsideration in this case is denied.

(Trumbull County Court of Appeals; No. 01CR793)



THOMAS J. MOYER
Chief Justice

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IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

2001 DEC -4 12 1:20

STATE OF OHIO,	:	CASE NO. 2001 CR 0793
	:	
Respondent,	:	JUDGE JOHN M. STUARD
	:	
-vs-	:	
	:	
DONNA ROBERTS,	:	<u>MOTION FOR APPOINTMENT</u>
	:	<u>OF CO-COUNSEL</u>
Petitioner.	:	

Now comes the defendant, Donna Roberts, by and through her attorney, David L. Doughten, and respectfully moves this Court to appoint her co-counsel for the re-hearing of her sentence determination as the result of Ohio Supreme Court action. Counsel was appointed by this Court for the re-sentencing procedure. Ohio Supreme Court Rule 20 requires the appointment of two qualified death penalty counsel. Co-counsel on direct appeal, Patricia J. Smith, had her trial R. 20 certification lapse and would be unable to accept an appointment. Therefore, it is requested that this Court appoint counsel other than Ms. Smith.

Although this Court may certainly appoint any qualified counsel, undersigned counsel suggests the name of Robert A. Dixon, Ohio Reg. No. #0022466, 4403 St. Clair Avenue, Cleveland, OH 44113, ph: (216)432-1992, dixonlaws@aol.com. Mr. Dixon is qualified in at both the trial and appellate level. He is also experienced in federal habeas procedures. His office is in the same building as undersigned counsel.

VOL 1117 PAGE 142

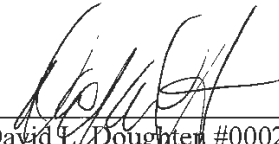
167+170

TRUMBULL COUNTY
CLERK OF COURTS
2006 DEC -8 P 2:57

INFANTE ALLEN
CLERK OF COURTS
TRUMBULL COUNTY

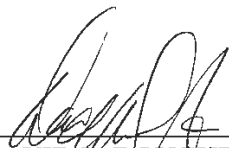
*His Honor
Hon. M. Steward*

Respectfully Submitted,


David L. Doughten #0002847
4403 St. Clair Avenue
Cleveland, OH 44103
216.361.1112
ddoughten@yahoo.com

CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 29th day of November, 2006.


DAVID L. DOUGHTEN
Counsel for Petitioner

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

TRUMBULL COUNTY
CLERK OF COURT
2023 DEC -4 P 1:20
J. ALLEN

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff, :
-vs- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : MOTION FOR APPROPRIATION
Defendant. : OF FUNDS FOR EXPERT
: ASSISTANCE

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully moves this Court for an order authorizing defense expenditures to enable the defendant to hire James Eisenberg, Ph. D. 161 North State St., Painesville, Ohio, 44077, Phone: 440.639.4763, as an forensic psychologist for the preparation of the sentencing. These funds are necessary to protect the defendant's rights to due process, equal protection, effective assistance of counsel and to be free of cruel and unusual punishment as guaranteed by both the State and Federal constitutions.

If necessary, the defense requests an ex parte hearing on this motion under the authority of Ake v. Oklahoma, although the need for an arson consultant in this instant is self-evident. These funds are necessary to protect the defendant's rights to due process, equal protection, effective assistance of counsel and to be free of cruel and unusual punishment as guaranteed by both the State and Federal constitutions. Ake, (1985), 470 U.S. 68, 82: "When the defendant is able to make an ex parte threshold showing to the trial court ***." The ABA Guidelines, require the

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hiring of a psychologist to prepare for the mitigation of a capital case. Wiggins v. Smith, 539 U.S. 510, 156 L. Ed. 2d 471, 123 S. Ct. 2527 (2003). The defense must conduct a complete investigation of all aspects of possible mitigation. The failure to do may constitutes ineffective assistance of counsel. Rompilla v. Beard, ___ U.S. ___, 125 S. Ct. 2456 (2005).

Dr. Eisenberg requests a billing rate of \$175.00 (One Hundred Seventy Five Dollars) per hour with a cap of \$5000.00 (Five Thousand Dollars). He agrees not to bill over this amount unless or until additional fees are approved by this court.

The folly of an attorney using his or her own judgment to determine the mental facilities of the client has been soundly rejected by the Federal Sixth Circuit Court of Appeals. The Sixth Circuit has made clear the professional duty to obtain necessary mental experts and mitigation experts for capital defendants. Glenn v. Tate, 71 F.3d 1204 (6th Cir. 1995). In Tate, the petitioner Glenn, trial counsel failed to ask for the assistance of a psychologist. Mr. Glenn was later determined to suffer from brain damage, a fact undetectable to the untrained attorney.

The Glenn opinion stressed that under Ohio's death penalty statute, the trial jury was required to weigh against the aggravating circumstances of the crime "the history, character, and background of the offender," among other things. Ohio Rev. Code § 2929.04(B). The Sixth Circuit also noted that the jury was required to consider "any other factors that are relevant to the issue of whether the offender should be put to death." Ohio Rev. Code § 2929.04(B)(7). The court observed that "[t]he jury could consider none of these matters, of course, if the relevant facts were not placed before it." Glenn at p.1207.


Similarly, it would be folly for undersign counsel to rely upon their assessments to determine whether any psychological issues are present in this matter. Ms. Roberts has had a

history of mental health issues. These occurred prior to her trial and additionally while her case was on appeal while she was in Marysville. Her records will be sought to substantiate these problems.

In addition, Dr. Eisenberg is a certified as a forensic psychologist. The importance of this classification has been noted by the Ohio Supreme Court. In State v. Filiaggi (1999), 86 Ohio St.3d 230, which emanated from this county, the Ohio Supreme Court found that the state's mental health experts were to be given greater credibility in the mental health field because they were classified as a "forensic expert," as opposed to the defendant's mental health experts, who were not.

Wherefore, it is respectfully requested that this court appoint Dr. Eisenberg at the requested rate of funding. The denial of the request will result in a violation of the Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution.

Respectfully Submitted,

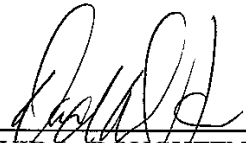


DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland OH 44103
(216) 361-1112

Counsel for Defendant Donna Roberts

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 29th day of November, 2006.



DAVID L. DOUGHTEN
Attorney for Defendant

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO,

Plaintiff,

-vs-

DONNA ROBERTS,

Defendant.

CASE NO. CR 2001 CR 0793

JUDGE JOHN M. STUARD

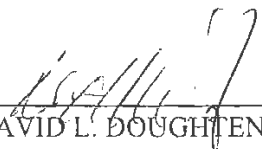
MOTION FOR RELEASE
OF RECORDS

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully moves this Honorable Court for an order permitting him, and his counsel and agents, to view and copy all documents and records which concern his medical, psychological, hospital, institutional, school and employment history.

The defendant requests that this order extend to any public or private organization or person who has records concerning her.

The reasons in support of this motion are set out in the accompanying memorandum.

Respectfully submitted,



DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland OH 44103
(216) 361-1112

Counsel for Defendant Donna Roberts

~~299-6016~~

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MEMORANDUM IN SUPPORT

Donna Roberts, has been convicted of capital murder and faces the death penalty. In order to fully prepare a defense, complete physical, social, educational and psychiatric records are needed to reconstruct the defendant's social history. These records are crucial in the competent preparation of evidence for use at her re-sentencing hearing.

Without access to these records, defense counsel will be unable to effectively represent the defendant at trial. Consequently, his right to effective assistance of counsel would be violated. Failure to facilitate access to records would also result in the denial of the defendant's federal and state constitutional rights to due process, equal protection, fair trial and against cruel and unusual punishment.

R.C. §2929.04(C) states that the defense shall be given great latitude in the presentation of evidence of mitigation against the imposition of the sentence of death. The defense needs defendant's records in order to obtain all evidence that would mitigate against the imposition of the death sentence. Failure to grant an order releasing his records would be inconsistent with the provision of R.C. §2929.04(C).

The Eighth Amendment requires that a capital sentencing authority "be allowed to consider on the basis of all relevant evidence not only why a death sentence should be imposed, but also why it should not be imposed." (Emphasis added). Jurek v. Texas (1976), 428 U.S. 262, 271. Elaborating on this principle in Woodson v. North Carolina (1976), 428 U.S. 280, the joint opinion of Justices Stewart, Powell and Stevens made clear that:

the fundamental respect for humanity underlying the Eighth Amendment ***

requires consideration of the character and record of the individual offender *** as a constitutionally indispensable part of the process of inflicting the penalty of death.

Id. at 304.

Two years later, a plurality of the Court explicitly held that a state legislature may not restrict the relevant mitigating circumstances which a capital defendant may place before the sentencer as reasons why his life should be spared. Writing for the plurality in Lockett v. Ohio (1978), 438 U.S. 586, the Chief Justice explicated that the Eighth Amendment principles of Jurek and Woodson require:

that the sentencer, in all but the rarest kind of capital case, not be precluded from considering as a mitigating factor, any aspect of a defendant's character or record and any of the circumstances of the offense that the defendant proffers as a basis for a sentence less than death.

Id. at 604. The Lockett plurality opinion continued:

[A] statute that prevents the sentencer in all capital cases from giving independent weight to any aspect of the defendant's character and record and to circumstances of the offense proffered in mitigation creates the risk that the death penalty will be imposed in spite of factors which may call for less severe penalty. When the choice is between life and death, that risk is unacceptable and incompatible with the commands of the Eighth and Fourteenth Amendments.

Id. at 605.

Since Lockett, the United States Supreme Court has consistently struck down death sentences in which the sentencer has not been permitted to consider all relevant information. In Green v. Georgia (1979), 442 U.S. 95, the trial court used a hearsay rule to exclude substantial mitigating evidence. The United States concluded that this application of the hearsay rule deprived the defendant of a fair trial as to the issue of punishment.

In Eddings v. Oklahoma (1982), 455 U.S. 104, the trial court ruled that as a matter of law it could not consider the defendant's unhappy upbringing and emotional disturbance. The United States Supreme Court held when reversing the conviction:

Just as the State may not be statute preclude the sentencer from considering any mitigating factors, neither may the sentencer refuse to consider, as a matter of law, any relevant mitigating evidence. In this instance, it was as if the trial judge had instructed a jury to disregard the mitigating evidence Eddings proffered on his behalf. The sentencer, and the Court of Criminal Appeals on review, may determine the weight to be given relevant mitigating evidence. But they may not give it no weight by excluding such evidence from their consideration.

Eddings, supra, at 113-115.

In Skipper v. South Carolina (1986), 476 U.S. 1, 90 L. Ed. 2d 1, the trial court excluded evidence of the defendant's good behavior in jail while awaiting trial on capital charges. The Court, citing Lockett and Eddings, reversed the death sentence. In Hitchcock v. Dugger (1987), 481 U.S. 393, the Court reversed a death sentence when the jury was barred from considering nonstatutory mitigating factors.

In several additional cases, the Supreme Court has confirmed that sentencers must be allowed to consider any evidence a defendant wishes to propose in mitigation. Penry v. Lynaugh (1989), 492 U.S. 302, 109 S.Ct. 256; Blystone v. Pennsylvania (1990), 494 U.S. 299, 108 L. Ed. 2d 255; Boyde v. California (1990), 494 U.S. 1190, 108 L. Ed. 2d 316. This principle was also ratified by the Ohio Supreme Court in State v. Steffen (1987), 31 Ohio St. 3d 111.

The right to be provided with the means of obtaining mitigating evidence is a necessary element of the right to present such evidence. Without a court order compelling a release of mitigating evidence to the defendant, he will be unconstitutionally prevented from presenting the

mitigating evidence. The constitutional protections against the imposition of cruel and unusual punishment are violated where the defendant is denied the only means available of obtaining mitigating evidence. A court order releasing records is also constitutionally essential because without the order, the defendant will be denied his federal and state constitutional rights to due process, a fair trial and his right to compulsory process and to present a defense. In re: Oliver (1948), 333 U.S. 257, Justice Black writing for the Court identified the minimum essentials of a fair trial:

A person's right to reasonable notice of a charge against him and an opportunity to be heard in his defense - a right to his day in court - are basic in our system of jurisprudence; and these rights include, as a minimum, a right to examine the witnesses against him, to offer testimony, and to be represented by counsel.

Oliver, supra at 273.

The Court nineteen years later expanded upon this theme in Washington v. Texas (1967), 388 U.S. 14, 19:

The right to offer testimony of witnesses and to compel their attendance, if necessary, is in plain terms the right to present a defense, the right to present the defendant's version of the facts as well as the prosecution's to the jury so it may decide where the truth lies. Just as an accused has the right to confront the prosecution's witnesses for the purpose of challenging their testimony, he has the right to present his own witnesses to establish a defense. This right is a fundamental element of due process of law.

This principle is still compelling. See Taylor v. Illinois (1988), 484 U.S. 400, 108 S.Ct. 646.

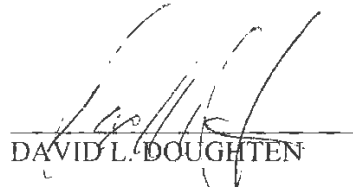
Again, a necessary condition of having these constitutional rights is having the ability to obtain the existence of mitigating evidence. Unless the defendant is given the means of obtaining such evidence, he will be denied his constitutional rights. Without a court order compelling the release of records, the defendant will not be able to uncover mitigating evidence,

will consequently be prevented from admitting such evidence, and therefore will be denied his rights to due process, a fair trial, the right to compulsory process, and the right to present a defense.

Summary

The failure to provide a records release order will deny the defendant his rights to due process, compulsory process, effective assistance, fair trial and against cruel and unusual punishment under the Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution and Article I, Sections 9, 10 and 16 of the Ohio Constitution. In order to insure that a complete life history is reconstructed, and the defendant is permitted to admit all relevant mitigating evidence, it is necessary to obtain all of the records of any public or private institution concerning the defendant.

Respectfully submitted,

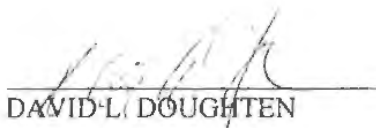


DAVID L. DOUGHTEN

Attorneys for Defendant

CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 29th day of November, 2006.


DAVID L. DOUGHTEN

Counsel for Defendant

TO THE CLERK
COPIES OF THIS
OR UPON THE
WITH BY
JUNE

TO THE CLERK
RECORD
FORTH

ORDER

This case came on for consideration through motion by Donna Roberts, Social Security No. 293-38-1661; Date of Birth: 5/22/44, for an order for the release of records. The Court, being fully advised, finds the motion well taken.

It is therefore ORDERED that any juvenile or adult institution or organization release upon request to David L. Doughten, her counsel, or his agents, any records in their possession which concern Donna Roberts.

In addition, any person or organization having any medical, hospital, psychological, drug or alcohol treatment records, police, school and employment records related to Donna Roberts should also release the records in their possession to David L. Doughten, her attorney, or his agents.

A photocopy of this Order shall have the full force and effect of an original certified copy.


JUDGE JOHN M. STUARD

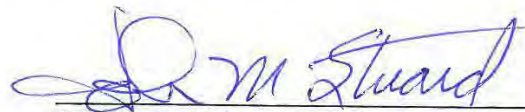
1/31/07
Date

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff, :
-vs- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : ORDER
Defendant. :

This case came on for consideration through motion by the defendant Donna Roberts to appoint co-counsel to assist in her re-sentencing hearing. The Court, being fully advised, finds the motion well taken.

It is therefore ORDERED that Robert A Dixon, 4403 St.Clair Avenue, Cleveland, Ohio 44103, 0022466, be appointed as co-counsel.


JUDGE JOHN M. STUARD

Date

TRUMBULL COUNTY
CLERK OF COURT
JAN 17 4:12 PM
4/17/07
VAREN JINTELLER
CLERK OF COURT
TRUMBULL COUNTY

VOL 1120 PAGE 104

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,
Plaintiff

-vs-

DONNA ROBERTS
Defendant

CASE NO. 01-CR-793

JUDGE JOHN M. STUARD

JOURNAL ENTRY

**ORDER DIRECTING EVALUATION
DEFENDANT'S COMPETENCE TO STAND TRIAL**

This matter came before the Court on January 17, 2007 for status hearing. The issue of the Defendant's competence to be re-sentenced having come to the attention of the Court, it is ORDERED that:

1. The Forensic Psychiatric Center of Northeast Ohio, Inc, will examine the defendant to determine whether she is competent to be sentenced.

2. The examination will be conducted at the Ohio Reformatory for Women in Marysville, Ohio, and the Defendant will make herself available there for examination at the time set by the examiner.

3. Upon completion of the evaluation, the examiner shall submit a written report of the examination to the Court not later than thirty (30) days after the date of this order.

4. The examiner's report shall contain the findings of the examiner, the facts in reasonable detail on which the findings are based, and the opinion of the examiner as to the Defendant's competence to be sentenced, that is, whether the Defendant is capable of understanding the nature and objective of the proceedings against her.

DATED

THE CLERK OF COURTS IS HEREBY
ORDERED TO SERVE COPIES OF THIS
ENTRY TO ALL COUNSEL OF RECORD.

JUDGE

HONORABLE JOHN M. STUARD
COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

VOL 1120 PAGE 701

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

TRUMBULL COUNTY
CLERK OF COURTS
2007 JAN 25 P 2:14
JANTE ALLEN
CLERK OF COURTS
TRUMBULL COUNTY

STATE OF OHIO,

:

CASE NO. CR 2001 CR 0793

Plaintiff,

:

-VS-

:

JUDGE JOHN M. STUARD

DONNA ROBERTS,

:

MOTION FOR APPROPRIATION
OF FUNDS FOR LEAD
COUNSEL

Defendant.

:

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully moves this Court for an order authorizing defense expenditures to appoint David L. Doughten, 4403 St. Clair Avenue, Cleveland, OH, reg. No. 0002847, phone 216.361.1112, as lead counsel for the re-sentencing hearing. Mr. Doughten is qualified as lead trial counsel under Ohio Supreme Court Rule 20. It is further requested that the appointment be dated as of November 25, 2006, as Mr. Doughten was notified by the Court on that date that he would be appointed as lead counsel on that date.

Respectfully Submitted,



DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland OH 44103
(216) 361-1112

Counsel for Defendant Donna Roberts

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 22nd day of January, 2007.

DAVID L. DOUGHTEN

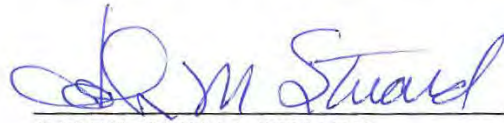
Attorney for Defendant

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff, :
-vs- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : ORDER
Defendant. :

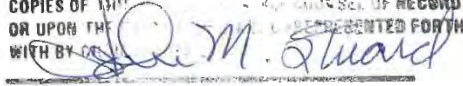
This case came on for consideration through motion by the defendant Donna Roberts to appoint counsel to assist in her re-sentencing hearing. The Court, being fully advised, finds the motion well taken.

It is therefore ORDERED that David L. Doughten, 4403 St.Clair Avenue, Cleveland, Ohio 44103, 0002847, be appointed as lead counsel. This order is to have taken effect as of November 25, 2006.


JUDGE JOHN M. STUARD

1/31/06
Date

2-8-07,
copies to
D. Doughten
J. Ingram
J. Wilhelm
R. Dixon
D. Bodiker
J. Juhasz
Pras

TO THE CLERK OF COURT YOU ARE ORDERED TO SERVE
COPIES OF THIS ORDER UPON THE COUNSEL OF RECORD
OR UPON THE DEFENDANT AS REPRESENTED FORTH.
WITH BY 
JUDGE

CLERK OF COURTS
TRUMBULL COUNTY
OHIO

2007 FEB -5 P 2:06

TRUMBULL COUNTY
CLERK OF COURTS

- 3 -
VOL 11-1 PG. 973

176

THE SUPREME COURT OF OHIO

State of Ohio
v.
Donna Marie Roberts

CASE NO.
2003-1441
**RETURN OF RECORD
OPX
DEATH PENALTY CASE**

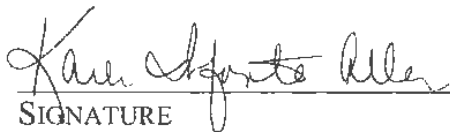
THE RECORD IN THE ABOVE-NAMED CASE WAS RECEIVED BY THE
UNDERSIGNED.

LIST CONTENTS:
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TRUMBULL COUNTY
CLERK OF COURTS


SIGNATURE

4-23-07
DATE

01 CR 793

AMIE VETTER-RECORDS ASSISTANT
614-387-9552

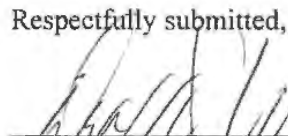
IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. 2001 CR 0793
:
Respondent, : JUDGE JOHN M. STUARD
:
-VS- :
:
DONNA ROBERTS, : MOTION TO ALLOW FULL
: PRESENTATION OF MITIGATION
Petitioner. : AT SENTENCING REHEARING

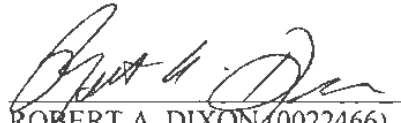
Now comes the defendant, Donna Roberts, by and through his attorney, David L. Doughten, and respectfully moves this Court to allow the defendant to fully develop her mitigation for the consideration of this Court at her sentencing re-hearing. The failure to consider and give effect to all available mitigation, as opposed to the mitigation adduced at her earlier trial and penalty phase hearing is violative of the Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution.

This motion will be more fully explained in the attached Memorandum

Respectfully submitted,



DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland, OH 44103
(216) 361-1112



ROBERT A. DIXON (0022466)
4403 St. Clair Avenue
Cleveland, Ohio 44103
(216) 432-1992

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/Chris Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this ____ day of May, 2007.

DAVID L. DOUGHTEN
Counsel for Petitioner

MEMORANDUM IN SUPPORT

In State v. Roberts (2006), 110 Ohio St. 3d 71, 2006 Ohio 3665, the Ohio Supreme Court reversed the death sentence. The matter was remanded for a new sentencing hearing. The issue here is whether the presentation of evidence in mitigation may be limited by this Court at the new sentencing hearing. Even if this Court is correct in its reading of the decision of the Ohio Supreme Court, such a limitation is contrary to clearly established precedent of the United States Supreme Court.

Specifically, the Ohio Supreme Court held as follows at p. 95:

[**P167] Having found no prejudicial error in regard to Roberts's conviction, we affirm the conviction and the judgment of the trial court pertaining to them. Because of the prejudicial error in sentencing Roberts to death, the sentence of death is vacated, and the cause is hereby remanded to the trial court. ***On remand, the trial judge will afford Roberts her right to allocute, and the trial court shall personally review and evaluate the evidence, weigh the aggravating circumstances against any relevant mitigating evidence, and determine anew the appropriateness of the death penalty as required by R.C. 2929.03.*** The trial court will then personally prepare an entirely new penalty opinion as required by R.C. 2929.03(F) and conduct whatever other proceedings are required by law and consistent with this opinion.

This decision does not give any prohibition against providing new evidence at a second sentencing hearing. To do so would be in violation of the Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution.

Mitigation Case Law

The United States Supreme Court has long held that a death conviction may not stand if the sentencing body has been precluded from considering relevant evidence suggesting that the

death sentence would not be appropriate. The Eighth Amendment mandates an individualized assessment of the appropriateness of the death penalty. In Lockett v. Ohio, *supra*, the Supreme Court held that the Eighth and Fourteenth Amendments require that the sentencer "not be precluded from considering, *as a mitigating factor*, any aspect of a defendant's character or record and any of the circumstances of the offense that the defendant proffers as a basis for a sentence less than death." *Id.*, at 604 (emphasis in original). Thus, the Court held unconstitutional the Ohio death penalty statute which mandated capital punishment upon a finding of one aggravating circumstance unless one of three statutory mitigating factors were present.

Lockett and Its Progeny Mandates Consideration of All Relevant Mitigation

This holding has been consistently applied throughout the Court's opinions addressing Lockett and its progeny. Eddings v. Oklahoma, 455 U.S. 104 (1982), Skipper v. South Carolina, 476 U.S. 1 (1986), Hitchcock v. Dugger, 107 S.Ct. 1821 (1987). In Eddings, a majority of the Court reaffirmed that a sentencer may not be precluded from considering, *and may not refuse to consider*, any relevant mitigating evidence offered by the defendant as the basis for a sentence less than death.

In Eddings, the Oklahoma death penalty statute permitted the defendant to introduce evidence of any mitigating circumstance, but the sentencing judge concluded, as a matter of law, that he was unable to consider mitigating evidence of the youthful defendant's troubled family history, beatings by a harsh father, and emotional disturbance. Applying Lockett, we held that "[j]ust as the State may not by statute preclude the sentencer from considering any mitigating factor, neither may the sentencer refuse to consider, *as a matter of law*, any relevant mitigating evidence." 455 U.S., at 113-114 (emphasis in original). In that case, "it was as if the trial judge

had instructed a jury to disregard the mitigating evidence [the defendant] proffered on his behalf." Id., at 114.

The Constitution limits a State's ability to narrow a sentencer's discretion to consider relevant evidence that might cause it to *decline to impose* the death sentence." McCleskey v. Kemp, 481 U.S. 279, 304 (1987) (emphasis in original). "Indeed, it is precisely because the punishment should be directly related to the personal culpability of the defendant that the jury must be allowed to consider and give effect to mitigating evidence relevant to a defendant's character or record or the circumstances of the offense." Penry v. Lynaugh, 492 U.S. 302, 327-328 (1989).


If the sentencer has been precluded from considering and giving effect to the mitigation, the sentence of death must be reversed. This is because the sentence imposed at the penalty failed to reflect a reasoned *moral* response to the defendant's background, character, and crime. California v. Brown, 479 U. S. 538, 545 (1987).

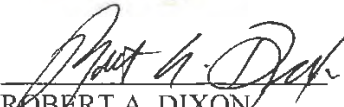
Sentencing Remand

The above precedent applies even where the original death sentence is reversed and the matter is on remand for a new sentencing hearing. The Sixth Circuit has clearly stated that the scope of the mitigation in a re-sentencing hearing could not be limited. In Davis v. Clark, 475 F.3d 761 (6th Cir. 2007), the trial court at a second sentencing hearing refused to consider the behavior of the defendant while in prison after his death sentence. This mitigation evidence was admissible under Skipper v. South Carolina, 476 U.S. 1 (1986). The refusal of the three-judge panel to consider this additional relevant mitigation evidence required a reversal of the death sentence.

Wherefore, the defendant Donna Roberts requests that her presentation of evidence to this court as to why the death penalty is not appropriate in this case not be limited.

Respectfully submitted,



DAVID L. DOUGHTEN

ROBERT A. DIXON

Attorneys for Defendant

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

2007-1-10 2:20

STATE OF OHIO,

Respondent

-vs-

DONNA ROBERTS,

Petitioner

CASE NO. 2001 CR 0793

JUDGE JOHN M. STUARD

MOTION FOR CONTINUANCE
OF STATUS CONFERENCE

Now comes the defendant, Donna Roberts, by and through his attorney, David L. Doughten, and respectfully moves this Court to continue or re-schedule the May 11, 2007 scheduled status conference. Counsel is scheduled to speak at at death penalty seminar on behalf of the Ohio Bar Association in Columbus Ohio on Friday May 11, 2007 at 3:15 pm. The seminar is being held in Columbus Ohio. A flyer on the seminar is attached.

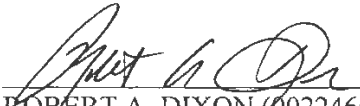
At the time of the scheduling of the status conference, counsel had been advised that he was speaking on Thursday May 10, 2007 and had scheduled accordingly. Counsel only recently was advised that his time had be changed.

Counsel Dixon can cover the status conference if necessary. However, Mr. Dixon was hoping to attend the seminar to remain certified. If the date cannot be changed, Mr. Dixon will be present.

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Respectfully submitted,



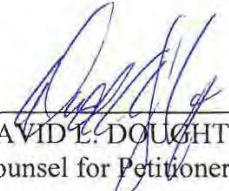
DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland, OH 44103
(216) 361-1112

ROBERT A. DIXON (0022466)
4403 St. Clair Avenue
Cleveland, Ohio 44103
(216) 432-1992

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/Chris Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 30th day of April, 2007.



DAVID L. DOUGHTEN
Counsel for Petitioner

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,

Plaintiff,

-vs-

DONNA M. ROBERTS,

Defendant.

CASE NO. 01-CR-793

JUDGE: JOHN M. STUARD

STATE'S MEMORANDUM
IN OPPOSITION TO
DEFENDANT'S MOTION TO
ALLOW FULL PRESENTATION
OF MITIGATION AT
SENTENCING REHEARING
AND MEMORANDUM IN
OPPOSITION

Now comes the State of Ohio by Assistant Prosecuting Attorneys Kenneth N. Bailey and Christopher D. Becker in response to the Defendant's Motion to allow full presentation of mitigation at sentencing rehearing.

MEMORANDUM IN OPPOSITION

In *State v. Roberts* (2006), 110 Ohio St. 3d 71, 850 N.E.2d 1168, the Ohio Supreme Court reversed the Defendant's death sentence and remanded the case back to the Court for a new sentencing hearing. Specifically, the Ohio Supreme Court stated at 850, 1189 ¶ 167:

On remand, the trial judge will afford Roberts her right to allocute, and the trial court shall personally review and evaluate the evidence, weigh the aggravating circumstances against any relevant mitigating evidence, and determine anew the appropriateness of the death penalty as required by R.C. 2929.03. The trial court will then personally prepare an entirely new penalty opinion as required by R.C. 2929.03(F) and conduct whatever other proceedings are required by law and consistent with this opinion.

The Defendant has argued that the Ohio Supreme Court's Opinion requires the

Court to consider additional evidence of mitigation. Quite simply this interpretation is contrary to the opinion itself and the law.

First the Ohio Supreme Court in *Roberts* clearly and unequivocally found that this court did everything proper with the two exception being the fact that the Court requested the State to draft the sentencing opinion pp. 92, 1188 ¶153 and the Court did not allow the Defendant her right to allocution pursuant to Crim. R. 32(A)(1). p. 95, 1190 ¶¶165-166.

The Supreme Court overruled the Defendant's arguments to the Ohio Supreme Court that she did not understand the ramifications of waiving her right to mitigation and that trial counsel were ineffective in failing to properly advise her and ensure that she understood the ramifications of the waiver of her right to present mitigating evidence. Certainly the Supreme Court would not have bothered to address these two issues if the case were being remanded for a full mitigation hearing.

Such speculation is not needed however because the opinion of the Supreme Court is very clear and concise. Nowhere in the court's opinion does it state that the Court shall conduct another mitigation hearing.

The law in this area is extremely clear as well. The Ohio Supreme Court has held that "[u]pon remand from an appellate court, the lower court is required to proceed from the point at which the error occurred." *State ex rel. Stevenson v. Murray* (1982), 69 Ohio St.2d 112.

The Defendant's case is clearly distinguishable because the errors occurred after the mitigation phase. Specifically, the case was remanded due to the Court's failure to permit the Defendant to allocute and the manner in which the sentencing opinion was written. That is evident from the language remanding the case back to this Court.

The Defendant cites *Davis v. Coyle* (6th Cir. 2007), 475 F.3d 761 for the proposition that a new mitigation hearing is required in the instant case. However, the *Davis* Court considered non-statutory factors in the mitigation process, thus the mitigation phase itself was flawed not just the sentencing. In *Davis* the Court of Appeals ordered the trial court to conduct a new “sentencing trial”. 475 F.3d 761, 769. Contrast that language to the language used by the Ohio Supreme Court in remanding the Defendant’s case. In *Roberts* the Ohio Supreme Court stated that this Court is to “personally review and evaluate the evidence, weigh the aggravating circumstances against any relevant mitigating evidence, and determine anew the appropriateness of the death penalty as required by R.C. 2929.03...” Nowhere in the *Roberts* opinion does the Ohio Supreme Court mention that this Court is to conduct a new mitigation hearing.

This case is also distinguishable from the line of cases flowing from the Supreme Court’s decision in *Lockett v. Ohio* (1978), 438 U.S. 586, cited by the Defendant.

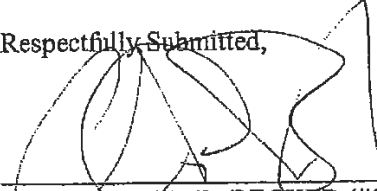
In general the Ohio Supreme Court has held that a defendant is “not entitled to an opportunity to improve or expand his evidence in mitigation simply because ...[the court of appeals] required the trial court to reweigh the aggravating circumstances and mitigating factors.” *State v. Chinn* (1999), 85 Ohio St.3d 548, 565.

In fact the *Chinn* court drew a sharp distinction with *Lockett* and *Lockett’s* progeny. As the Ohio Supreme Court stated in *Chinn* when discussing *Lockett*, “each of those cases involved a situation where the capital sentencer was prohibited, in some form or another, from considering relevant mitigating evidence at trial.” *Chinn* at 564.

Therefore it is respectfully submitted that the Court follow the dictates of the Ohio

Supreme Court in its remand of this case and allow the Defendant to allocute and for the Court to personally review and evaluate the evidence, weigh the aggravating circumstances against any relevant mitigating evidence, and determine anew the appropriateness of the death penalty as required by R.C. 2929.03. This court shall then personally prepare an entirely new penalty opinion as required by R.C. 2929.03(F).

Respectfully Submitted,



CHRISTOPHER D. BECKER (#0047252)

Assistant Prosecuting Attorney
Trumbull County Prosecutor's Office
160 High Street, 4th Floor
Warren, Ohio 44481
(330) 675-2907

ATTORNEY FOR STATE OF OHIO

Kenneth N. Bailey

KENNETH N. BAILEY (#0023228)

Assistant Prosecuting Attorney
Trumbull County Prosecutor's Office

CERTIFICATION

This is to certify that a copy of the foregoing State's Response to Defendant's Motion was served upon counsel of record by depositing the same in the U.S. Mails, postage prepaid this 28th day of June 2007.



CHRISTOPHER D. BECKER (#0047252)

Assistant Prosecuting Attorney
Trumbull County Prosecutor's Office

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

TRUMBULL COUNTY
2007 AUG -2 A 11:14

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff, :
-vs- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : MOTION FOR CONTINUANCE
Defendant. : OF SENTENCING HEARING

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully moves this Honorable Court for an order continuing the sentencing hearing of August 15, 2007. Ms. Roberts has yet to have a mental examination performed by the court psychiatric clinic. Counsel recently receive Ms. Roberts' mental health records from the DRC. A review of the records would mandate an examination be completed prior to the hearing.

The reasons in support of this motion are set out in the accompanying memorandum.

Respectfully submitted,


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(216) 432-1992
dixonlaws@aol.com


DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland OH 44103
(216) 361-1112
ddoughten@yahoo.com

Counsel for Defendant Donna Roberts

MEMORANDUM IN SUPPORT

Counsel on a prior occasion has requests a competency examination conducted with the defendant Donna Roberts. As of the date of the preparation of this motion, the examination has not yet been completed. The evaluation was requested by the defense. This Court granted the request on January 17, 2007. A continuance is necessary to allow for the examination and a possible independent examination by the defense psychologist, as previously requested by the defense. (December 4, 2006, but not granted as of this current filing date)

Counsel received the records from the penal institution from the Department of Rehabilitation and Correction on Saturday July 21, 2007. Counsel was on vacation and did not review the records until Thursday July 26, 2007 and the next couple of days. Minimally, the records reflect a history of mental illness including depress and a diagnosis of bi-polar disorder. It is clear Ms. Roberts has been taking medication in addition to other treatments for the afflictions. The extent of the treatment is not clear and must be determined.

In addition, the records include a wealth of mitigation that needs to be addressed, including reference to three major head injuries which caused a considerable personality change in the defendant. The records are also reflective of possible sexual abuse of the defendant as a minor. Counsel, through interviews with family members for the preparation of the re-sentencing, was aware of the head injuries but has been unable to determine the hospitals of treatment. The latter information, the abuse, was not previously known to counsel.

Counsel will provide the court and prosecution with a complete package of the records in question and will proffer the penal records of Ms. Roberts as evidence.

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

TRUMBULL COUNTY
COMMON PLEAS COURT

2007 AUG -2 A 11:13

CLERK

STATE OF OHIO,

Respondent,

-VS-

DONNA ROBERTS,

Petitioner.

CASE NO. 2001 CR 0793

JUDGE JOHN M. STUARD


MOTION TO RECUSE TRIAL
JUDGE

**MOTION FOR VOLUNTARY RECUSAL OF TRIAL JUDGE,
TO ASSIGN CASE TO VISITING JUDGE,
AND TO HOLD CASE IN ABEYANCE**

Petitioner Donna Roberts moves this Honorable Court to voluntarily recuse herself from any further consideration of this case, and request the appointment of a visiting judge to hear Ms. Roberts' sentencing in this matter. As explained in the attached Memorandum in Support, granting this motion is necessary to preserve Petitioner's rights under the United States Constitution's Fifth, Sixth, Eighth, and Fourteenth Amendments, and Article I, Sections 2, 9, 10, and 16 of the Ohio Constitution. To protect and maintain the appearance of impartiality, Petitioner respectfully asks this Court to hold this case in abeyance before ruling on this motion.

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Respectfully Submitted,

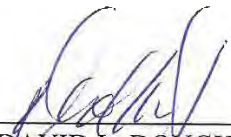

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(216) 361-1112
ddoughten@yahoo.com

Counsel for Defendant Donna Roberts

CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/ Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 31 day of July, 2007.


DAVID L. DOUGHTEN
Counsel for Petitioner

MEMORANDUM IN SUPPORT

Procedural Posture

A Trumbull County grand jury indicted the defendant Donna Roberts on a four count indictment for various charges, including two alternative theory counts of capital murder surrounding the death of her husband, Robert Fingerhut. The indictment charged the defendant with one count of the purposeful killing of Mr. Fingerhut with prior calculation and design in violation of R.C. §2903.01(A) and one count of the so-called felony murder in violation of R.C. §2903.01(B). Each of these capital murder counts included two capital specifications addressing violations of R.C. §2929.04(A)(7). The first specification alleged that the murder occurred during the commission of an Aggravated Burglary, R.C. §2911.11. The second specification alleged that the murder occurred during the commission of an Aggravated Robbery, R.C. §2911.01.

The third and fourth counts charged the felonies underlying the aforementioned capital specifications, Aggravated Burglary, R.C. §2911.11 and Aggravated Robbery, R.C. §2911.01. Each count of the indictment included a firearm specification pursuant to R.C. §2929.141.

The charges indicated that the defendant was not the principal offender, but rather she acted in complicity with the principal, and co-defendant, Nathaniel Jackson. Mr. Jackson was tried separately as he also was capitally indicted. The defendant pleaded not guilty to all counts of the indictment at her arraignment on December 31, 2001.

On February 26, 2002, the trial court conducted a hearing on the defendant motion to suppress items taken from her home the night of the homicide. The trial court denied the motion.

A jury trial began on March 26, 2003, with the death qualification process. The jury found the defendant guilty of all counts including the capital and firearm specifications on May 2003.

On June 3, 2003, the defendant indicated to the court that she wanted to waive the presentation of mitigation at the penalty phase hearing, except she did desire to make an unsworn statement. This court conducted a hearing to determine her competency to do so. A psychologist, Thomas Eberle, who had previously examined her, believed the defendant to be competent. The court also directly questioned the defendant. The court determined her to be competent under State v. Ashworth (1999) 85 Ohio St. 3d 56, 1999 Ohio 204.

Prior to the commencement of the penalty phase hearing, the prosecutor elected to dismiss Count Two, R.C. §2903.01(B)(felony-murder) and proceeded with Count One, R.C. §2903.01.(A) (prior calculation and design). The hearing began on June 4, 2004. The defense waived opening and closing argument. The defendant did provide an unsworn statement. That same day, the jury recommended a sentence of death.

On June 20, 2003, the trial court accepted the recommendation and sentenced the defendant to death. The court also sentenced the defendant to serve ten years for both the convictions of Aggravated Robbery and Aggravated Burglary. These sentences are being served consecutively to each other and the sentence of death. The court also applied a three-year firearm specification, which is also being served consecutively to the principle sentences.

The sentencing of the case was reversed by the Ohio Supreme Court in State v. Roberts, 110 Ohio St.3d 71(2006) 2006 Ohio 3665. The reversal was based upon this Court's failure to

consider allocution and to independently prepare the required opinion pursuant to R. C. §2929.03(F).

A. The Roberts Decision Places The Court in a Position of Appearing to Compromise its Decision Making.

The “integrity of our judicial system requires that litigants who appear before a judge have the confidence that their cause will be heard in a fair and impartial manner.” In Re Disqualification of Celebrezze, 74 Ohio St. 3d 1242, 657 N.E.2d 1348 (1992). The issue before the Ohio Supreme Court in Celebrezze was whether or not the trial court held a “predisposition of thought and opinion.” Id. At 1348. After reviewing the record before it, the Ohio Supreme Court stated in Celebrezze that it could not “conceive of a rule that would allow a judge to proceed to adjudicate a case when the question of the judge’s bias or prejudice has not yet been resolved.” Celebrezze at 1349.

The problem here is that this Court has been placed in an untenable position by the Roberts’ decision. Counsel is aware that this Court is facing possible disciplinary action by the Supreme Court for the R. C. §2929.03(F) missteps. The Court has been open and forthright about this litigation. Thus, counsel is aware this Court is fighting the action. The disciplinary matter has not yet been decided by the Supreme Court.

A major dispute in this re-sentencing procedure is whether Ms. Roberts’ is entitled to a full presentation of mitigation, including evidence not adduced at her original trial. This Court has indicated to counsel that it believes that the mandate of the Roberts decision is narrow. This Court believes that it cannot consider any new mitigation evidence except the allocution of Ms. Roberts herself. Considering the fact that evidence of considerable mitigation has been

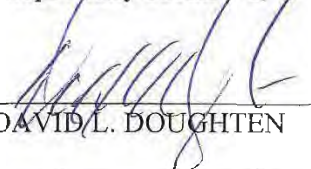
uncovered during then pendency of the re-sentencing hearing, this restrictive reading is extremely prejudicial to the defense.

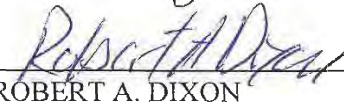
The reason the Court's current position requires recusal is that there is an appearance of undue pressure on the court in the rendering of its decision. This Court may not want to risk interpreting its reading of the Roberts Supreme Court mandate inconsistently with the Supreme Court while the disciplinary action is pending. Should the court rule in line with the defense request, there may be the fear the Supreme Court may view the decision as an act of insolence, which may impact on the disciplinary decision.

The decision of a court, particularly in a death situation, should be free of all suspicion of undue influence from any source. In order to avoid any appearance of impropriety, this Court is asked to recuse itself from sentencing Ms. Roberts.

In the alternative, this matter should be continued until the disciplinary action against the Court has been resolved.

Respectfully submitted,




DAVID L. DOUGHTEN

ROBERT A. DIXON

Attorneys for Defendant

CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 31th day of July, 2007.



DAVID L. DOUGHTEN
Counsel for Defendant

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO.

Plaintiff

-VS-

DONNA MARIE ROBERTS,
INMATE #W055276

Defendant

CASE NO. 01-CR-793

JUDGE JOHN M. STUARD

JOURNAL ENTRY
WARRANT FOR REMOVAL

The State's Motion for Warrant for Removal has come before and been heard by this Court. It is therefore, ORDERED, ADJUDGED, and DECREED that Trumbull County Sheriff, Thomas Altieri shall on or before September 20, 2007, take **DONNA MARIE ROBERTS, INMATE NO. W055276**, from the Ohio Reformatory for Women, in Maryville, Ohio, and that Sheriff Altieri shall convey said Defendant to the Trumbull County Jail, where she shall remain incarcerated until such time as she is brought before the Court on September 20, 2007 at 2:30 p.m. for status hearing and a Re-Sentencing hearing is set on September 21, 2007 at 2:30 p.m.

It is further ORDERED, ADJUDGED, and DECREED that the County Sheriff shall receive the fees allowed for conveying the defendant to the Trumbull County Jail.

8-28-07
Issued to
Sheriff

DATED

KAREN INFANTE ALLEN
CLERK OF COURTS
TRUMBULL COUNTY

2007 AUG 27 PM 2:05

TRUMBULL COUNTY
CLERK OF COURTS

Edmund Stuart

HONORABLE JOHN M. STUARD
JUDGE, COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO


STATE OF OHIO,)	CASE NO. 01-CR-793
)	
Plaintiff)	
)	JUDGE JOHN M. STUARD
-vs-)	
)	MOTION FOR
DONNA MARIE ROBERTS,)	WARRANT OF REMOVAL
INMATE #W055276)	
)	
Defendant)	

Now comes the Plaintiff, State of Ohio, by and through its undersigned counsel, and pursuant to Ohio Revised Code 2941.40, moves this Honorable Court for a Warrant of Removal for **DONNA MARIE ROBERTS** who is presently confined at the Ohio Reformatory for Women, in Marysville, Ohio. Said Defendant, is to be removed from the Ohio Reformatory for Women and taken to the Trumbull County Jail in Warren, Ohio, on or before September 20, 2007, and incarcerated there until she is brought before the Court for a status hearing on September 20, 2007 at 2:30 p.m. and a Re-Sentencing hearing scheduled September 21, 2007 at 2:30 p.m.

The State requests that its requested Warrant be delivered to the Trumbull County Sheriff Thomas Altieri and conveyed to the Warden at the facility who shall commit said defendant to the Trumbull County Jail on or before September 20, 2007.

For removing the Defendant, the State motions this Court to allow to the Sheriff the fees allowed for conveying the defendant to the Trumbull County Jail.


DATED

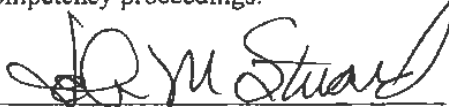

CHRISTOPHER D. BECKER
Assistant Prosecuting Attorney
Trumbull C. Prosecutor's Office

2007 CR 793

ORDER

This case came on for consideration through motion by Donna Roberts, Social Security No. 293-38-1661; Date of Birth: 5/22/44, for an order for the continuance of trial. As good cause for the continuance has been shown by the defendant, a reasonable continuance is granted to allow the competency examination to be conducted pursuant to my previous order of January 17, 2007, and an independent examination by Dr. James Eisenberg Ph. D., if necessary. The sentencing date will be set at the completion of the competency proceedings.

8/29/07
Date


JUDGE JOHN M. STUARD

FILED
COURT OF COMMON PLEAS
SEP 05 2007
TRUMBULL COUNTY, OH
KAREN INFANTE ALLEN, CLERK

VOL 1147 PAGE 308

189

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

2007 SEP 11 A 11:12

STATE OF OHIO,

:

CASE NO. CR 2001 CR 0793

Plaintiff,

:

-vs-

:

JUDGE JOHN M. STUARD

DONNA ROBERTS,

:

MOTION FOR APPROPRIATION
OF FUNDS FOR EXPERT
ASSISTANCE

Defendant.

:

(Independent Competency Evaluation)

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully moves this Court for an order authorizing defense expenditures to enable the defendant to hire James Eisenberg, Ph. D. 161 North State St., Painesville, Ohio, 44077, Phone: 440.639.4763, as an forensic psychologist for the preparation of the sentencing. These funds are necessary to protect the defendant's rights to due process, equal protection, effective assistance of counsel and to be free of cruel and unusual punishment as guaranteed by both the State and Federal constitutions. Counsel requests the independent psychologist to determine if Ms. Roberts is legally incompetent or if she "incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense." R.C. 2945.37(G). Federal due process principles forbid subjecting a legally incompetent criminal defendant to trial. State v. Berry (1995), 72 Ohio St.3d 354, 359, 650 N.E.2d 433. Drope v. Missouri (1975), 420 U.S. 162, 171

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Counsel had previously requested the appointment of Dr. Eisenberg to assist in the presentation of mitigation. The motion has not yet been ruled upon. Therefore, counsel request the granting for both purposes. It should be noted that Dr. Eisenberg has been sent the report of the Forensic Psychiatric Center of Northeast Ohio. Although the defense has requested a continuance to further prepare for mitigation, Dr. Eisenberg will have time to complete the competency evaluation in time for the September 20, 2007, hearing date.

Dr. Eisenberg requests a billing rate of \$200.00 (Two Hundred Dollars) per hour with a cap of \$5000.00 (Five Thousand Dollars). He agrees not to bill over this amount unless or until additional fees are approved by this court.

In addition, Dr. Eisenberg is a certified as a forensic psychologist. The importance of this classification has been noted by the Ohio Supreme Court. In State v. Filiaggi (1999), 86 Ohio St.3d 230, which emanated from this county, the Ohio Supreme Court found that the state's mental health experts were to be given greater credibility in the mental health field because they were classified as a "forensic expert," as opposed to the defendant's mental health experts, who were not.

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 10th day of September, 2007.



DAVID L. DOUGHTEN
Attorney for Defendant

IN THE COURT OF COMMON PLEAS
-GENERAL DIVISION-
TRUMBULL COUNTY, OHIO

CASE NUMBER: 2001 CR 00793

STATE OF OHIO
PLAINTIFF


vs.

DONNA MARIE ROBERTS
DEFENDANT

JUDGE JOHN M STUARD

JUDGMENT ENTRY

Defendant's Motion to Allow Full Presentation of Mitigation at
sentencing rehearing is denied.


JUDGE JOHN M STUARD

Date: 10/12/07
Copies to:
Christopher D Becker
J. GERALD INGRAM

9-14-07
copies to:
Pros.
J. Ingram
D. Doughen

TO THE CLERK OF COURTS: YOU ARE ORDERED TO SERVE
COPIES OF THIS JUDGMENT ON ALL COUNSEL OF RECORD
OR UPON THE PARTIES WHO ARE UNREPRESENTED FORTH
WITH BY ORDINARY MAIL.

JUDGE

2007 SEP 14 A 10:45

TRUMBULL COUNTY

VOL 1148 PAGE 383

SCAN

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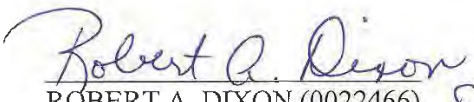
Wherefore, it is respectfully requested that this court appoint Dr. Eisenberg at the requested rate of funding. The denial of the request will result in a violation of the Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution.


Respectfully Submitted,



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-and-



ROBERT A. DIXON (0022466) 
4403 St. Clair Ave.
Cleveland, Ohio 44103
(216) 432-1992

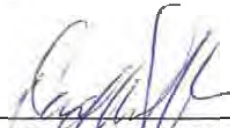
Counsel for Defendant Donna Roberts

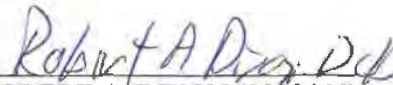
IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff, :
-VS- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : MOTION TO PROFFER
Defendant. : EVIDENCE

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully proffers the following evidence for the purposes of establishing the record on the mitigation that would have been presented if permitted by this court.

Respectfully Submitted,


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ROBERT A. DIXON (0022466)
4403 St. Clair Ave.
Cleveland, Ohio 44103
(216) 432-1992

Counsel for Defendant Donna Roberts

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 20th day of September, 2007.

DAVID L. DOUGHTEN

Attorney for Defendant

MEMORANDUM IN SUPPORT

R.C. 2929.04(C) grants "great latitude" to an accused in the presentation of mitigating evidence during death penalty hearings. A "sentencer, in all but the rarest kind of capital case, [must] not be precluded from considering, as a mitigating factor, any aspect of a defendant's character or record * * * that the defendant proffers as a basis for a sentence less than death." (Emphasis sic.) State v. Jenkins (1984), 15 Ohio St.3d 164, 189, 15 OBR 311, 332, 473 N.E.2d 264, 288, quoting Lockett v. Ohio (1978), 438 U.S. 586, 604, 98 S.Ct. 2954, 2964-2965, 57 L.Ed.2d 973, 990. See, also, Parker v. Dugger (1991), 498 U.S. 308, 111 S.Ct. 731, 112

Mitigating factors under Ohio Rev. Code Ann. § 2929.04(B) are not related to a defendant's culpability but, rather, are those factors that are relevant to the issue of whether a defendant convicted under Ohio Rev. Code Ann. §§ 2903.01 should be sentenced to death. A sentencing authority may not refuse to consider, as a matter of law, any relevant mitigating evidence. State v. Goff 82 Ohio St.3d 123

The records below were obtained from the Ohio Department of Rehabilitation and Correction. A summary of areas of mitigation that could have been introduced from the information contained in the record follows. The evidence from these records, the postconviction records and the trial record includes the following factors in mitigation.

1. Detention Behavior

South Carolina v. Skipper, 487 US 1 (1986); State v. Gapen, 104 Ohio St.3d 358, 2004-Ohio-6548. "We have previously recognized that the ability to adjust to prison life is a mitigating factor that can be assigned weight. State v. Madrigal (2000), 87 Ohio St.3d 378, 397, 721 N.E.2d 52; State v. Smith (1997), 80 Ohio St.3d 89, 121-122, 684 N.E.2d 668

2. Childhood Abuse

Penry v. Lynaugh, 492 US 302 (1989)

3. Mercy

a. State v. Rogers, 28 Ohio St. 3d 427 (1986)

i. Duty to argue

b. State v. Campbell (1994) 69 Ohio St. 3d 638

c. State v. Garner (1996), 74 Ohio St.3d 49.

4. Steady Employment

State v. Fox, 69 Ohio St. 3d 183 (1994); State v. Madrigal (2000), 87 Ohio St.3d 378, 90 Ohio St.3d 460 (2001); State v. Tibbetts, (2001) 92 Ohio St. 146- some weight, Hartman(2001); State v. Issa (2001), 93 Ohio St.3d 49 ; State v. Group, 98 Ohio St.3d 248, 2003; “Group’s history as a hard-working family man who has earned the love of those closest to him clearly deserves weight.” See State v. Mitts (1998), 81 Ohio St.3d 223, 236, 690 N.E.2d 522; State v. Smith (2000), 87 Ohio St.3d 424, 447, 721 N.E.2d 93; State v. Treesh (2001), 90 Ohio St.3d 460, 493, 739 N.E.2d 749

5. Lack of Significant Criminal History

a. State v. Berry, 72 Ohio St. 3d 354 (1995)

i. One theft and juvenile record not significant and entitled to some weight

6. Mental Illness

State v. Braden 98 Ohio St.3d 354(2003); See State v. Seiber (1990), 56 Ohio St.3d 4, 9, 564 N.E.2d 408 (lifelong mental illness involving psychotic lapses and paranoid ideation was a mitigating "other factor"). Roberts has attempted suicide on a

number of occasions. She has also checked herself into a psychiatric ward. Her son indicates that after a bad accident in 1999, she acted very differently. She became distant and rarely called him. See Exhibit 1.

7. Dysfunctional Family

- a. *State v. Green*, 66 Ohio St. 3d 141 (1993)
- b. *State v. Simko*, 71 Ohio St. 3d 483 (1994)
- c. *State v. Spivey* (1998), 81 Ohio St.3d 405, 424
- d. *State v. Tibbets*, 92 Ohio St.3d 146 (2001)

8. Extensive Head Injuries

It appears Roberts suffered from a number of head injuries which caused a number of problems. Her son, Mike Raymond, if permitted, would explain the accidents and the changes in her personality and actions thereafter.

8. Residual Doubt

Counsel for Roberts would ask the tape of the confession of Nathaniel Jackson be considered. It is already part of this record as it was filed the Roberts' postconviction petition. On the tape, Nathaniel Jackson was interviewed by police detectives. Jackson, who described himself as a street hustler, explained the on the day of the incident the decedent Fingerhut had purchased a small amount of marijuana from Jackson for about \$100.00. Jackson had known Fingerhut for a couple of years. Jackson had been to Fingerhut's house previously. Postconviction Exhibit B

Fingerhut took Jackson to his, Fingerhut's, home to watch a sporting event. Fingerhut pulled the car into the garage. The two exited the car and went into the house. They sat at the kitchen table. Fingerhut was looking over his mail. Jackson was hoping Fingerhut could give him some work at the restaurant. Fingerhut then said words to the effect of "you black guys are the same, you don't want to do anything for yourself." Fingerhut continued to lecture Jackson. Exhibit B

Jackson did not want to be subjected to the lecture and be "disrespected." He asked to be taken home. Fingerhut told him to walk. Jackson refused to walk. When Jackson looked up, the Fingerhut was pointed a gun at him. Jackson felt that Fingerhut had "flipped." Jackson described the change in Fingerhut's demeanor as being like, "Dr. Jeckyl and Mr. Hyde." Exhibit B

Jackson then said that, "He squeezed on me, man," referring to Fingerhut pulling the trigger. Jackson had grabbed the gun which had been pointed at him. The shot injured Jackson's finger. Jackson thought that he "was a done deal," meaning himself. He then shot Fingerhut. After the first shot, Fingerhut kept coming at him. Jackson shot again and killed him. Exhibit B.

Jackson said that he did not intend to kill Fingerhut. He has not thought about shooting Fingerhut ahead of time. Exhibit B

9. Additional factors summary

The additional factors are addressed in the are as follows

Physical Problems (These reports reflect the time period of 2003 -2007)

1. Has a problem with her lower spine and pelvis, often causing her great amounts of pain.
2. Has suffered from sciatica
3. Had a fall in prison and hit her head/face on a metal desk
4. Has borderline diabetes
5. Had at least 3 head injuries (first at 19 years of age)
6. Had cysts removed from her ovaries and an abortion
7. Has suffered hypertension and a few punctuate white matter signal abnormalities which are non-specific in nature were found via an MRI (likely to be age related)

Mental Health Problems

1. Has suffered from on/off depression from the age of 6, possibly as a result of the sexual abuse she suffered by her cousins or her fathers mental and physical abuse towards her mother. Has now been diagnosed as a type of Bipolar Disorder (BPAD Type II). This leaves her feeling very depressed or euphoric and can lead to risk taking behavior.
- 2.
3. Was an inpatient in 2000 for 2 weeks after expressing suicidal thoughts, saw a psychiatrist on/off but failed to keep appointments (prior to conviction).
- 4.
5. She occasionally suffers from hallucinations and appears confused and disorganized. She also believes others can see and hear her thoughts. She has a negative body image.
- 6.
7. Has had several head injuries with the most serious being in 1999. She had concussion and reported a change in personality, including feeling 18 again and having no fear. It may also have been the reason she started smoking cannabis.
- 8.
9. Is not afraid of death.
- 10.
11. In prison, denied any suicidal thoughts or self harm but there have been a few occasions where she has unexplained bruises on her arms and/or legs and her fall in prison *could* be regarded as suspect. Has said that she tried holding her breath

once, this could be regarded as a possible suicide attempt. She has stated that she would like to die but it is against her religion for her to do it to herself.

- 12.
13. Is in remission of PTSD
- 14.
15. Is too trusting of her inmates and fails to set appropriate boundaries, occasionally takes on child-like characteristics.
- 16.
17. Takes medication to help with her symptoms of depression and hypomania (since 2000), she is extremely reliant on these.

Evidence

Report dated 1/12/2005 from Corrections Medical Center (247058)

Degeneration in the lower spine and pelvis.
Mild sclerosis of the acetabular surfaces (right acetabulum)
Joint spaces causing narrowing
Mild osteophytes from both femoral heads
Overall; mild bilateral DJD in both hips.

Report dated 7/07/03 from Corrections Medical Center (323866)

Prominent pseudoarticulation or prominent costocartilaginous junction of the left 1st rib anteriorly.

Report dated 6/03/05. Addendum to Mental Health Evaluation (page 1).

On a selection of medication, was coping fine but now feels depressed as to her situation; her physical pain is also too much (it is now affecting her sleep). History includes on/off depression since the age of 6. Was an inpatient in 2000 for 2 weeks. Has seen a psychiatrist and has been on medication since 2000.

Report dated 6/03/05. Addendum to Mental Health Evaluation (page 2)

Used pot on/off on the street but did not do drugs while incarcerated. She was sexually abused by her 2 cousins.
Her mother suffers from depression and is terminally ill.
Her mood is sad.

Report dated 6/03/05. Addendum to Mental Health Evaluation (page 3)

Diagnostic impression; BPAD type II, currently depressed. Treatment included medication for depression and pain.

Report dated 6/13/06. Mental Health Caseload Classification (annual).

C1 Categorical (SMI); Bipolar D/O

Report dated 6/03/03(?). Mental Health Caseload Classification (update)
C1 Categorical (SMI); Bipolar D/O

Report dated 6/18/07. Addendum to Mental Health Evaluation

Inmate has suffered from depression since 6, was treated on/off with counseling but is now purely on medication; wonders if she would die without it. Experiences depression when thinks of her husband.

She has had 3 head injuries, the first being aged 19, second in 1983 and the third in 1999. Reports of a personality change after the 1999 injury-felt like she was 18 and not afraid of anything.

Report dated 6/18/07. Addendum to Mental Health Evaluation (page 2)
Similar to 6/03/05 report.

Report dated 12/17/03. Interdisciplinary Progress Notes.

Donna says she feels much better and that she isn't afraid to die. However, she also said that she thinks people can see and hear her thoughts when she is alone and that she has always felt this way (claims it does not affect her daily functions though). She also has negative feelings towards her body; she always wears make up and nobody has seen her naked.

Report dated 11/24/03. Interdisciplinary Progress Notes.

Donna has reported she is sleeping a lot due to her medication. Her aunt and cousin had died recently.

11/28/03; mood is very sad.

Report dated 11/13/03. Interdisciplinary Progress Notes.

Donna feels good at the moment but highlights the fact that she often feels bad and her mood can never stay even.

Report dated 10/24/03. Interdisciplinary Progress Notes

Donna is sensitive to bright light in her room, this is affecting her sleep.

Report dated 10/15/03. Interdisciplinary Progress Notes

Donna reports crying spells, loss of appetite, difficulty sleeping and is struggling to get out of bed in the mornings.

Report dated 9/18/03. Interdisciplinary Progress Notes

She is taunted by her inmates and the guards talk about her.

Report dated 9/03/03. Interdisciplinary Progress Notes

She experiences difficulty sleeping, loss of appetite and low energy levels. She feels she is being unfairly treated.

Report dated 9/26/03. Interdisciplinary Progress Notes

Donna reports she suffers from depression and anxiety but her medication offers her appropriate relief.

Report dated 05/14/07. Bipolar Group Pre test

Has 4 symptoms of a bipolar disorder; sadness, euphoria, agitation and intolerance. On a scale of 1(low)-10(high) Donna says her disorder interferes with her life at number 8. Her compliance for taking medication was only 95% but she claims to have taken all of them. Says her mood is affected by inconsideration from others, others being mean and fear. Her disorder is controlled by medication.

Report dated 6/28/05. Referral to Mental Health Services-Urgent

Called was received from a Ms. Weaver (unit manager at NC) stating Donna was acting strangely. On arrival told that she was disorientated. When spoken to, found that she was orientated but she felt nervous and anxious, she also kept running her sheet through her hands saying she was trying to fix the bed.

Report dated 10/24/03. Bureau of Mental Health Services.

Feeling sad as it would have been her husbands birthday.

Report dated 09/26/00(?). Bureau of Mental Health Services

Affect of segregation; worried and appetite is low. Donna had a sonogram for a medical condition.

Report dated 4/19/06. Medication order form

4/14/06 Donna banged her head.

Report dated 3/22/06. Medication order form

3/21/06 EKG done and acid levels are up.

Report dated 08/29/05. Medication order form.

8/03/05 MRI scan of the head-memory deficit and head trauma. Optometry consult.

Report dated 4/13/07. Corrections Medical Center Laboratory

Microbiology Culture scan came back positive-Nitrouantoin highlighted.

Report dated 3/30/07. Corrections Medical Center Laboratory

Creatinine and glucose levels are high.

Report dated 2/20/07. Corrections Medical Center Laboratory

Glucose, VLDL(cal), phosphorus and triglyceride levels high. CH/HDL and LDL levels low.

Report dated 11/27/06. Corrections Medical Center Laboratory
Cholesterol and triglyceride ride levels are high.

Report dated 7/06/06. Corrections Medical Center Laboratory
EOS, EOS ABS, BASO ABS, RBC are all low. MCH high.

Report dated 6/14/06. Corrections Medical Center Laboratory
NEU, EOS ABS, BASO ABS, RBC, and HCT are all low. LYM, MCH and PLT are all high.

Report dated 3/22/06. Corrections Medical Center Laboratory
A/G, BASO ABS, RBC, HGB and HCT are all low. AST-Activated, Globulin, Glucose, LD, Triglyceride, uric acid and MCH are all high.

Report dated 2/14/06. Corrections Medical Center Laboratory
Glucose and triglyceride are high, CH/HDL is low.

Report dated 6/27/03. Corrections Medical Center Laboratory
Glucose, triglyceride and MCH are high, RBC and valproic acid is low.

Report dated 11/20/06. Corrections Medical Center (657962A)
Right hip has marginal arthritic changes.
(657962B); There is accentuation of lumbosacral angle.

Report dated 7/01/06. Corrections Medical Center Laboratory
Benign calcifications found via a mammogram.

Report dated 6/26/03. Initial Medical/Mental Health/Substance Use Screening
Crisis/Safe cell assignment requested and special housing assignment requested under mental health disposition.

Report dated 06/26/03. Health History
Gave personal history as positive for; bone, joint or other deformity, ear trouble, eye disorder, hemorrhoids, high blood pressure, mumps, stomach trouble and cysts. Current problems are depression and anxiety.

Report dated 7/31/03. Department of Rehabilitation and Correction Physical Examination
Abnormalities found on the skin, she is suffering from Hypertension.

Report dated 6/26/03. Female Health History
Menopausal for the past 2 years, had ovarian cyst in 1962, has had two pregnancies, one of which was aborted. Has been on HRT for 4 years (?)

Report dated 7/02/03. Mental Health Evaluation

Page 2; has on/off depression all her life. Was admitted for inpatient treatment in 2002; she had suicidal thoughts. Occasionally feels euphoric which leads to high energy, low need for sleep and risk taking behavior. Admits to spending sprees and having unprotected sex with a young man.

Page 3, started using pot after her accident in 1999

Page 4, father was abusive to mother. she was sexually abused by cousins

Page 6; mood is mostly angry at unjust sentence

Page 7; Axis I: BPAD Type II and psychotic feelings(?)

Report dated 7/02/03. Mental Health Caseload Classification

Confirms bipolar disorder.

Report dated 9/12/05. OSU Electronic File Report-Radiology

Suffered from memory loss, chronic dizziness and gait disturbance. MRI found a few punctuate white matter signal abnormalities which are non-specific in nature and are most likely due to small vessel ischemic disease or age related changes. Also minimal punctuate mucosal thickening within the right mastoid air cells and a small left frontal sinus retention cyst, polyp, or localized mucosal thickening.

Report dated 6/13/06. Addendum to Mental Health Evaluation

Has difficulty falling and staying asleep. Has nerve pain and heart burn.

Page 2; sexually abused by 2 cousins.

Page 3; BPAD Type II in remission.

Report dated 6/13/07. Mental Health Caseload Classification

Confirms bipolar disorder.

Report dated 6/24/03. Initial Medical/Mental Health/Substance Use Screening

Suffered a concussion from 1999 head injury.

Report dated 6/12/07. Mental Health Treatment Plan Review

Confirms bipolar II disorder and is a borderline diabetic. Problem described as mania/hypomania. States she has depression more often than mania and she did not attend her Bipolar Group when passed.

Report dated 3/13/07. Mental Health Treatment Plan Review

See above. Currently in depressed phase, she has to learn to set appropriate boundaries and not to be so trusting of inmates who will take advantage of her.

Report dated 12/12/06. Mental Health Treatment Plan Review

Reiterates history of depressive mood

Report dated 6/6/06. Mental Health Treatment Plan Review

Reports increased stress due to new inmate in her segregation unit, the two argue frequently.

Report dated 12/14/05. Mental Health Treatment Plan Review

Increased depressive symptomology over the past several months.

Report dated 9/24/03. Treatment Plan

Experiencing symptoms of depressed mood that interfere with areas of daily functions such as, past suicide attempts, high feelings of anger and isolation, crying spells and low appetite.

Report dated 7/08/03. Treatment Plan

Experiencing adjustment issues and high feelings of isolation.

Report dated 3/12/06. Referral to Mental Health Services

Call received from CO stating behavior was "bizarre". Donna was seeing ants (none could be seen). She stated 'saw ants, put down coffee grounds to get rid of them and got rid of food in room (?)'. She appeared disheveled, wearing no make up, speech soft, mumbling and she is wearing sweats. Spontaneously started saying 'men always play sports and balls-golf-little ball, little hole, little man; basketball, big ball, big hole, big man'. Abruptly ends by saying 'it's been nice talking to you'.

Response; Donna was confused and disorganized. Had not eaten last 3 meals and has severe cognitive impairment-placed on suicide watch.

Report dated 1/24/06. Referral to Mental Health Services

Donna appears very stressed, irrational and is sleeping more frequently.

Report dated 11/14/05. Referral to Mental Health Services

Experiencing flashbacks to finding husbands body so has requested medication. Therapy was recommended instead.

Report dated 8/14/05. Referral to Mental Health Services

States that Donna was not intending to harm herself but she had bruises on her arms and legs, she did admit to feeling down. She put her arm against the wall and said she feels like she isn't there. She is unsteady on her feet and says her hands and feet keep twitching.

Report dated 4/28/05. Referral to Mental Health Services

Donna is sad, has been crying frequently, will not engage in conversation, is not wearing make up and has poor eye contact. This is presumed to be a reaction to her mother's terminal illness.

Report dated 4/17/07. Corrections Medical Center Laboratory
High glucose, chloride and PLT levels. Low RBC, HGB, HCT and lithium.

Report dated 3/30/07. Corrections Medical Center Laboratory
High glucose and creatinine levels.

Report dated 11/29/05. Corrections Medical Center Laboratory
High glucose and Lym levels. Low T. Bilirubin, chloride, sodium, BASO ABS, RBC and HCT.
Page 2; High MCH and low Valproic acid.

Report dated 7/29/05. Brief Psychiatric Rating Scale
Scored 3 (mild) on depressive mood scale.

Report dated 6/29/04. Corrections Medical Center Laboratory
High Glucose, Triglyceride and Lym levels. Critically low chloride levels. Low sodium and NEU levels.
Page 2; High MCH and low BASO ABS and RBC levels.

Report dated 6/18/07. Brief Psychiatric Rating Scale
Scored 4 (moderate) on depressive mood scale.

Report dated 9/16/03. Corrections Medical Center Laboratory
High Lym, and MCH levels. Low ALK Phos, NEU, EOS ABS, BASO ABS, RCB, HCT and Valproic acid.

Report dated 7/02/03. Brief Psychiatric Rating Scale
Scored 5 (moderately severe) on depressive mood and hostility scales.

Report dated 4/17/07. Corrections Medical Center Laboratory
High glucose, triglyceride and MCH levels. Low RBC and valproic acid levels.

Report dated 7/11/07. Interdisciplinary Progress Notes
BPAD type II and PTSD are in remission.

Report dated 2/20/07. Interdisciplinary Progress Notes (2nd page)
Donna states she wishes she knew a way to die without killing herself, she says she has tried holding her breath. Still experiencing problems setting boundaries and is giving away her commissary items.

Report dated 11/22/06. Interdisciplinary Progress Notes (2nd page)
Recently lost brother-in-law to suicide. Donna states her despair and how she could relate to what he was feeling, said if she was given a life sentence she 'would not

Report dated 5/30/06. Interdisciplinary Progress Notes (2nd page)

Struggle to cope with heat in cell has made her struggle slightly in other areas but is mostly fine.

Report dated 5/17/06. Interdisciplinary Progress Notes (2nd page)

Reports she has not sleep properly for two nights and claims to have dozed off whilst showering/shaving-wonders if this is a problem.

Report dated 3/27/06. Interdisciplinary Progress Notes (2nd page)

Has bruises around left eye from a fall last week.

Report dated 3/22/06. Interdisciplinary Progress Notes (2nd page)

(CONT.) Was dumping food outside her window. Determined medical attention was needed-was placed in infirmary for testing and observation. Donna was staring into space, was unsteady on her feet and withdrawn. She has poor recent memory and her thought process is slurred, she is confused and is suffering from cognitive impairment.

Report dated 3/21/06. Interdisciplinary Progress Notes (2nd page)

Donna has expressed confusion, agitation and disorganized behavior during the night. She also fell and hit her face on a metal desk but is adamant that she slipped accidentally. She has had previous gait disturbances and a MRI showed multiple lesions. She denies self-harm etc and is strongly opposed to being placed on suicide watch. Suspect she may be experiencing delusions.

Report dated 3/13/06. Interdisciplinary Progress Notes (2nd page)

Spoke with a child like voice.

Report dated 3/13/06. Interdisciplinary Progress Notes (2nd page)

Donna tried to force her way out of the cell, she was laughing and smiling saying that she felt very happy and her appeal is 'working'. Again she used a child like voice.

Report dated 1/27/06. Interdisciplinary Progress Notes

Donna failed a room inspection and shut down for 2 hours, she did however have it cleaned for re-inspection. She gets confused if her meds are not given at consistent times and thinks she has already taken them.

Report dated 12/14/05. Interdisciplinary Progress Notes

Reports her new meds are making her feel shaky.

Report dated 11/25/05. Interdisciplinary Progress Notes

Has two bruises on her left arm and can not recall how they got there.

Report dated 10/31/05. Interdisciplinary Progress Notes

Bruising (?) on both arms, does not know how it got there.
11/07/05; experiencing stress after being told that her cell door will soon have to be closed at all times; she says she becomes sweaty when closed up.

Report dated 9/19/05. Interdisciplinary Progress Notes
Had a family visit, coped well, spoke of how her father was physically and mentally abusive towards her mother (though was less so as they got older).

Report dated 8/14/05. Interdisciplinary Progress Notes
Donna was disorganized and stated that whilst she had no intention of hurting herself, she had fallen down several times. Had bruises on her arms and legs and was a little unstable on her feet.

Report dated 6/29/05. Interdisciplinary Progress Notes
Reluctant to come outside.

Report dated 6/28/05. Interdisciplinary Progress Notes
Donna was sitting on her bed staring at TV static and would not come out of her room. When psychiatrist (?) arrived, her blanket and sheets.....

Report dated 6/8/05. Interdisciplinary Progress Notes
Mood is tearful and depressed but her thoughts are organized though they may be inaccurate due to wishful thinking. This is exasperated by her back pain.

Report dated 5/06/05. Interdisciplinary Progress Notes (2nd page)
Donna is in a lot of pain due to a general medical condition. She also states she is having a hard time dealing with the lack of control in her life, she feels guilty that people have to do things for her; she feels that no one really cares about her, they only visit because it is there job. She says she wrote to her lawyer telling him to stop fighting as there was no use.

Report dated 4/29/05. Interdisciplinary Progress Notes (2nd page)
Having more difficulty with her memory than normal and her mood is depressed.

Report dated 4/08/05. Interdisciplinary Progress Notes
Donna discussed fear of becoming incapacitated and says that she is not afraid of death itself.

Report dated 1/03/05. Interdisciplinary Progress Notes (2nd page)
Experiencing pain from sciatica, medication is only partially helpful.

Report dated 1/21/05. Interdisciplinary Progress Notes
Continues to exhibit semi-depressive symptoms but no mania present.

Report dated 1/11/05. Interdisciplinary Progress Notes
1/21/05; Donna states her depression is with her all the time.

Report dated 4/26/04. Interdisciplinary Progress Notes
Donna feels she has brought shame on her family by going to prison and that she misses her husband, she was very teary eyed.

Report dated 1/17/07. Interdisciplinary Progress Notes
Reports feeling let down by her boyfriend; sleep, appetite and energy levels are all low.

Report dated 12/24/03. Interdisciplinary Progress Notes
Insists on the death penalty to 'show the racism, the injustice, the corrupt', also states she is not afraid of death. She believes she can communicate to others through her thoughts.

Medications Prescribed

Trazodone
Depakote – mood stabilizer
Lithium
Bupropion
Valproic Acid
Wellbutrin
Cymbalta
Elavil
Depakene
Buspar

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 17th day of September, 2007.

DAVID L. DOUGHTEN

Attorney for Defendant

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. CR 2001 ~~CR~~ 0793
Plaintiff, :
-vs- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : MOTION TO PROFFER
Defendant. : EVIDENCE
: **APPENDIX - PRISON RECORDS**

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully proffers the following evidence for the purposes of establishing the record on the mitigation that would have been presented if permitted by this court.

Respectfully Submitted,



DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland OH 44103
(216) 361-1112



ROBERT A. DIXON (0022466)
4403 St. Clair Ave.
Cleveland, Ohio 44103
(216) 432-1992

Counsel for Defendant Donna Roberts

193

Print

Page 1 of 1

From: michaelraymondnh@aol.com (michaelraymondnh@aol.com)
To: ddoughten@yahoo.com
Date: Thursday, August 30, 2007 12:07:59 AM
Subject: Donna Roberts



David,

My mother called me the other day and wanted to know if you knew the date of her new hearing? Is this a rescheduled hearing or an entirely different hearing? Do you need any additional information from me? I am out of school now and my one dog "Jackpot" was in real bad shape the past few weeks that involved several trips to the vets and countless sleepless nights ... however he is doing better now and I can try to be more helpful in any way I can.

She said she attempted to call you, but for some reason she is unable to call your office. Not sure if you heard or not ... but when they dropped her off at Trumbull County Jail the deputy supposedly forgot ALL of her medications and left them in his vehicle. Trumbull refused to give her any meds, I had to call Marysville numerous times and also calling the Trumbull County Sheriff trying to get some answers ... finally after 5 days of getting nowhere, I spoke with nurses at both locations and also the Deputy Warden of Administration in Marysville - they finally got her meds to her on the 6-7th day and then brought her back to Marysville the next day.

One thing came to mind ... the primary reason she self admitted herself to a psych ward somewhere in Warren-Trumbull area, was she apparently took her one little white dog out into the garage with her, started the car and didn't open the garage door ... waiting for the carbon dioxide to end things ... however "Blossom" her dog looked up at her she said and she said she couldn't go through with it. She was in this medical facility for about 5 days if I recall ... these events happened sometime in the Fall of 1999 I believe ... her bad car accident was in April 1999 and she suffered from three concussions to the head as well as broken ribs ... this is when it seemed like my mother was no longer herself ... she became a "distant" person and rarely ever called me after the accident, prior to the accident she would call me about twice a week.

Let me know if you need more pictures ... I also have home videos of my mother, Robert and myself together on vacations, cruises, around the house and more.

Regards,
Mike Raymond

Email and AIM finally together. You've gotta check out free [AOL Mail!](#)

Corrections Medical Center

1990 Harmon Ave., Columbus, OH 43223-0658
(614) 445-5960 Radiology Ext. 2734



ROBERTS W055276 ORW 247058

HIP 1/10/2005

BILATERAL HIPS: Degenerative changes are seen in the lower lumbar spine. The bony pelvic ring is intact. Mild degenerative changes are seen in the pelvis. There is mild sclerosis of the acetabular surfaces at the right acetabulum. Joint spaces are causing narrowing. There is also mild osteophytes arising from both femoral heads. No other abnormalities are appreciated. IMPRESSION: There is mild bilateral DJD in both hips, right greater than left.

Charles H. Muncrief, D.O. rjy
Read on: 1/11/2005

This report was generated on: 1/12/2005 8:38 A.M. *electronically signed*

End of report for: ROBERTS W055276

professional radiology services by Mid-Ohio Radiology, Inc.

Corrections Medical Center

1990 Harmon Ave., Columbus OH 43223-0658
(614)445-5960 Radiology: ext. 2734 7/9/03

ROBERTS W055276 ORW 323866

CHEST 07/03/2003

PA AND LATERAL CHEST:

The cardiomedastinal silhouette is unremarkable. Lung fields are expanded without active disease. There is a prominent pseudoarticulation or prominent costocartilaginous junction of the left 1st rib anteriorly mentioned for completeness sake.

CS
7/21

Thomas T. Fox, MD

Thomas T. Fox, M.D.

ksf

7/7/03 12:00:00A

electronically signed

professional radiology services by Mid-Ohio Radiology, Inc.

Current Suicidal Ideation/Behavior
denial
Past Violent/Assaultive Behavior
Aggravated robbery - on death sentence - murder
Present Ideas/Behavior
UNL
H. Insight/Judgment
fair
XIII. Psychological Testing Results
XIV. Diagnostic Impression
Axis I: 1. BPD type II & psychotic features 2. 3.

III. Psychiatric History (In-patient/Out-patient treatment; include current medication if any)

Received one inpatient & treatment at St. Joseph's hospital for a week in 2000 for severe depression - suicidal thoughts. Has been on Citalopram on & off in the past. Has been on medication since 2000.

IV. Medical History: include current medications

of collagen. In 1999 involved in auto accident & had L-oc for 1 1/2 days. Reports soft personality since being involved in accident & has been diagnosed with significant for ovarian cyst. Medical Problems are significant. HTW, has borderline diabetes. Her heart burn. She is currently on tamoxifen, Divinor, Parnate, and Prozac. Prozac is under.

V. Alcohol & Substance Use History:

Has never been addicted to any drug, on & off and pot for years. Never used drugs & needles. States that pot relaxed her. Started using pot since her accident in 1999. Never abused Prozac medication. Never been substance abuse.

ROBERT A. DIXON
ATTORNEY AT LAW

4403 ST. CLAIR AVENUE
CLEVELAND, OHIO 44103
TELEPHONE 216-432-1992

July 3, 2007

Transmitted via facsimile 614-752-1034
Vincent Lagana, Staff Counsel
Ohio Department of Rehabilitation and Correction
1050 Freeway Drive North
Columbus, OH 43229

DONNA ROBERTS
55376

Re: Release of Medical Records Pursuant to R.C. §5120.21 for Inmates


Dear Mr. Lagana:

Thank you for your anticipated assistance in helping me to obtain copies of institutional records for my client. Pursuant to R.C. §5120.21(C)(2), I would appreciate you providing me with a copy of Donna Roberts' medical and mental health records from her entry into prison through the present date as soon as possible. An Authorization to Release Information, signed by Ms. Roberts, is enclosed.

I am not requesting Ms. Roberts' complete institutional file at the present time. I am limiting my request to her medical and mental health records as authorized under R.C. §5120.21(C)(2).

I am interested in obtaining copies of all Ms. Roberts' medical and mental health records, and if I need to file a request with another institution or agency to obtain the balance of her records, I would appreciate you advising me of whom I need to contact. Thank you for your cooperation, and please feel free to contact me, should you have any further questions.

Very truly yours,


Robert A. Dixon
RAD/mmmp

MMH 7-3-07



Mental Health Services MEDICATION CONSENT FORM

Inmate Name:

Donna Roberts

Inmate Number:

55276

I agree to treatment with the following medications in the dosage recommended to me by the psychiatrist:

1.

HALOPERIDOL 10 mg/ day up to 60 mg/ day

2.

3.

I have been made aware that the following are benefits which may occur through taking these medications:

1. Anti-anxiety

I have been made aware that possible side effects of taking these medications may be:

1. Headaches, dizziness, GI distress, blurred vision, fatigue and nervousness

I voluntarily agree to take the medication(s) listed above as prescribed by the psychiatrist. I understand that this permission may be revoked at my discretion. I have had an opportunity to ask any questions I wished to ask.

I have been made aware of alternative treatments.

Physician's Signature

R. Roberts

Inmate Signature:

Donna Roberts

Date:

1/12/22

Witness Signature:

M. Roberts

I have been advised to take the medications listed above but I am unwilling to take the medication as recommended. The possible consequences of not taking the medication have been explained to me.

Specifically:

could not sign as shown in
showing



Mental Health Services MEDICATION CONSENT FORM

Inmate Name:

Donna Roberts

Inmate Number:

55276

I agree to treatment with the following medications in the dosage recommended to me by the p:

1. Trazodone 50 - 60mg / day

2.

3.

I have been made aware that the following are benefits which may occur through taking these medications:

Helps with depression in divided doses

Helps with insomnia as single doses

I have been made aware that possible side effects of taking these medications may be:

Hypertension, Confusion, anxiety, malaise, edema, dizziness, weight increase, anorexia, dry mouth, myalgia, itching of eyes, phlebitis, Tumor necrosis of thighs, inflammation of lips, photosensitivity of skin

I voluntarily agree to take the medication(s) listed above as prescribed by the psychiatrist. I understand that my permission may be revoked at my discretion. I have had an opportunity to ask any questions I wished to ask.

I have been made aware of alternative treatments.

Physician's Signature:

RV Smith

Inmate Signature:

Donna Roberts

Date:

7/1/22

Witness Signature:

Michael Smith

I have been advised to take the medications listed above but I am unwilling to take the medication as recommended. The possible consequences of not taking the medication have been explained to me.

Specifically:

Interdisciplinary Progress Notes

Date & Time	Document significant events during clients course of treatment; implementation of treatment plan and response to treatment. Sign and title all notes.
6/26/03 0900	<p>Admission Intake Screening</p> <p>(S) Inmate seen for DMHS. MH Orientation, Special medications, and Suicide awareness orientation done. Inmate tells me she has depression and anxiety and currently takes Trazadone, Wellbutrin, Buspar, and Depakote. She does not know the dosages of her medications, however she reports relief of stated symptoms i.e. depression, anxiety.</p> <p>(A) Inmate alert, oriented all spheres. Mood euthymic, affect anxious. Speech clear, concise, pressured.</p> <p>(A) MH admission process completed.</p> <p>(P) Referral to MH Service for appointment with psychiatrist for evaluation and medication management.</p> <p><i>(Signature)</i></p>

Inmate Name. <u>ROBERTS Donna</u>		Number: <u>55276</u>
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Continued
on
reverse
side

Name Donna Marie Roberts Inmate Number 55276 Date 05.14.09

Bipolar Group
PRE TEST

4
1. What are ~~three~~ symptoms of bipolar disorder that you experience?

Anxiety, Euphoria, Agitation, Intolerance

2. On a scale of 1-10, 1 being no symptoms and 10 having symptoms interfere with every part of your daily functioning, how would you rate your bipolar disorder?

8

3. Why is med compliance difficult for some people with bipolar disorder?

I have no idea. My compliance was only 95% even though I took all of my meds @ noon and in the evening.

Perhaps people do not realize their need of meds. ?

4. Identify three factors that affect your moods?

Inconsideration from others

Meanness purposefully from others

Fear

5. List three ways on how you manage your moods:

(1) Meds

2. ---

3. ---

Rules for the Bipolar Group

1. Regular attendance, arriving on time, and staying for entire session.
Note: 10 sessions must be attended in order to receive certificate.
2. Completing assignments and participation in group.
3. Respect: "Treat others as you want to be treated". Showing respect to group members includes listening while others are talking without interruptions.
4. Support each other and offer positive feedback.
5. Confidentiality: What happens in group stays in group. Exception is group leader who may consult with other staff. Group leader also has a duty to report any stated intentions of self-harm, harm to others or the security of the institution as well as report any ongoing case of child abuse.
6. No violence. Acting out with physical or verbal violence in the group is ground for dismissal.
7. Along with physical and/or verbal violence, additional reasons that a group member may be dismissed from group are missing more than 2 sessions, breaking confidentiality, and showing a lack of respect for other group members.

I agree to follow all the rules stated above in order to be in the Bipolar Group.

Print Name and Number: DONNA MARIE ROBERTS

Signature of Participant: Donna Marie Roberts

Date: 05.14.07

Mental Health Assessment/R.I.B.

RIB Case No.: QRW-07-001016	
Inmate Name: ROBERTS, DONNA MARIE	Inmate Number: W55276

Is the inmate currently on a mental health case load? ☒ Yes (refer for mental health assessment) ☐ No

TO THE HEARING OFFICER:

You must refer the inmate to Mental Health Services if he appears unable to understand what he is charged with, what might happen to him or actively participate in an RIB hearing.

Does the inmate know where he is? ☒ Yes ☐ No What date it is? ☒ Yes ☐ No

Why he is seeing a hearing officer? ☒ Yes ☐ No Is he appropriately dressed? ☒ Yes ☐ No

Is he able to speak coherently? ☒ Yes ☐ No Make sense? ☒ Yes ☐ No

Are the inmate's statements logical and organized? ☒ Yes ☐ No

Does inmate avoid eye contact? ☐ Yes ☒ No

Should the inmate be referred for Mental Health Services evaluation? ☐ Yes ☒ No

Hearing Officer: <i>Linda B. Wood</i>	Date: 01/26/2007
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TO BE COMPLETED BY MENTAL HEALTH TREATMENT TEAM

Date Requested for Consult Received: 01/26/2007	Date Consult Returned: 01/29/2007
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1. Does the inmate have the capacity to participate in the hearing? ☒ Yes ☐ No

If NO, why does the inmate not have the capacity?

If NO, what treatment is contemplated to assist the inmate in acquiring the capacity to participate?

2. Are there mental health issues that may have impacted the inmate's behavior at the time of the charge? ☐ Yes ☒ No

If YES, briefly describe those issues:

3. Are there mental health issues that should be considered regarding disposition of the inmate if found guilty? ☐ Yes ☒ No

If YES, briefly describe those issues and their possible relation to the disposition:

4. Does mental health staff want to be present at the RIB hearing to provide input regarding the inmate's mental health status? ☐ Yes ☒ No

Member of Treatment Team: <i>J. Wallis, MSW, LSW</i>	Date: 01/29/2007
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TO BE COMPLETED BY RULES INFRACTION BOARD

1. Does the inmate appear to have the capacity to participate in the hearing? ☐ Yes ☐ No

2. Has the Rules Infraction Board considered the recommendation of the treatment team? ☐ Yes ☐ No

3. Does the panel believe the incident occurred as charged? ☐ Yes ☐ No

Chairman, RIB:	Date:
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FOR MENTAL HEALTH RECORDS

Does the inmate have the capacity to participate in the hearing? ☐ Yes ☐ No

Mental Health recommended disposition: ☐ Yes ☐ No

RIB concurred with Mental Health recommendations: ☐ Yes ☐ No

DRC 2530 (Rev. 12/05) Distribution: White - Rib File Canary - Mental Health File ACA 4218, 4221, 4222, 4224, 4227, 4229, 4230, 4231

Mental Health Assessment R.I.B. II

Inmate Name: <u>Roberts</u>	Inst. Number: <u>5572</u>
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Is the inmate currently on a mental health case load?

☒ Yes☐ No

TO THE HEARING OFFICER:

You must refer the inmate to Mental Health Services if he appears unable to understand what he is charged with, what might happen to him or actively participate in an RIB hearing.

Does the inmate know where he is? Y
Is he appropriately dressed? Y

What date is it? YIs he able to speak coherently? YWhy he is seeing a hearing officer? YMake sense? Y

Are the inmate's statements logical and organized, or bizarre?

Does inmate avoid eye contact? Y

Should the inmate be referred for Mental Health Services evaluation?

☐ Yes☒ No

Hearing Officer: <u>Jeff. Wood</u>	Date: <u>7-9-05</u>
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TO BE COMPLETED BY MENTAL HEALTH TREATMENT TEAM

Date request for consult received:	Date consult returned:
------------------------------------	------------------------

1. Is the inmate competent to participate in the hearing?

☐ Yes☐ No

If NO, why is the inmate not competent?

If NO, what treatment is contemplated to assist the inmate in becoming competent?

2. Are there mental health issues that may have impacted the inmate's behavior at the time of the charge?

☐ Yes☐ No

If YES, briefly describe those issues:

3. Are there mental health issues that should be considered regarding disposition of the inmate if found guilty?

☐ Yes☐ No

If YES, briefly describe those issues and their possible relation to the disposition:

4. Does mental health staff want to be present at the RIB hearing to provide input regarding the inmate's mental health status?

☐ Yes☐ No

Member of Treatment Team:	Date:
---------------------------	-------

TO BE COMPLETED BY RULES INFRACTION BOARD

1. Does the inmate appear to be competent to participate in the hearing?

☒ Yes☐ No

2. Has the Rules Infraction Board considered the recommendation of the treatment team?

☒ Yes☐ No

3. Does the panel believe the incident occurred as charged?

☒ Yes☐ No

Chairman, RIB: <u>J. P. R. R.</u>	Date: <u>7/25/05</u>
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FOR MENTAL HEALTH RECORDS

Inmate competent to participate in hearing:

☐ Yes☐ No

Mental Health recommended disposition:

☐ Yes☐ No

RIB concurred with Mental Health recommendations:

☐ Yes☐ No

Mental Health Assessment R.I.B. II

Inmate Name: <u>Roberts</u>	Inst. Number: <u>55216</u>
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Is the inmate currently on a mental health case load?

☒ Yes☐ No

TO THE HEARING OFFICER:

You must refer the inmate to Mental Health Services if he appears unable to understand what he is charged with, what might happen to him or actively participate in an RIB hearing.

Does the inmate know where he is? 4What date it is? 4Why he is seeing a hearing officer? 4Is he appropriately dressed? 4Is he able to speak coherently? 4Make sense? 4Are the inmate's statements logical and organized, or bizarre?Does inmate avoid eye contact? 4

Should the inmate be referred for Mental Health Services evaluation?

☒ Yes☒ No

Hearing Officer: <u>Det Wood</u>	Date: <u>7-9-05</u>
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TO BE COMPLETED BY MENTAL HEALTH TREATMENT TEAM

Date request for consult received:	Date consult returned:
------------------------------------	------------------------

1. Is the inmate competent to participate in the hearing?

☐ Yes☐ No

If NO, why is the inmate not competent?

If NO, what treatment is contemplated to assist the inmate in becoming competent?

2. Are there mental health issues that may have impacted the inmate's behavior at the time of the charge?

☐ Yes☐ No

If YES, briefly describe those issues:

3. Are there mental health issues that should be considered regarding disposition of the inmate if found guilty?

☐ Yes☐ No

If YES, briefly describe those issues and their possible relation to the disposition:

4. Does mental health staff want to be present at the RIB hearing to provide input regarding the inmate's mental health status?

☐ Yes☐ No

Member of Treatment Team:	Date:
---------------------------	-------

TO BE COMPLETED BY RULES INFRACTION BOARD

1. Does the inmate appear to be competent to participate in the hearing?

☒ Yes☐ No

2. Has the Rules Infraction Board considered the recommendation of the treatment team?

☒ Yes☐ No

3. Does the panel believe the incident occurred as charged?

☒ Yes☐ No

Chairman, RIB: <u>[Signature]</u>	Date: <u>7/25/05</u>
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FOR MENTAL HEALTH RECORDS

Inmate competent to participate in hearing:

☐ Yes☐ No

Mental Health recommended disposition:

☐ Yes☐ No

RIB concurred with Mental Health recommendations:

☐ Yes☐ No

Referral to Mental Health Services

Inmate name: Roberts	Number: 55276	Date of Referral: 6-28-05
Job:	Lock: Death Row	Unit:

Urgency Level: ☐ Routine☐ ASAP☒ Urgent

Reason for Referral: **Dr. Malluri**
MS Weaver - the unit manager at NC called & said this inmate was acting strange. When I got there, Captain Roberts was there while I talked to her. He said she was disoriented. When I talked to her, she was oriented x4 but she said she felt nervous and anxious. Her blanket and sheet were on the floor. She kept pulling the sheet thru her hands. She said she was trying to fix her bed. She wasn't really trying - she was just moving it around. She said she just started taking a new med that helped her sleep really well. She denied thoughts of self-harm. I asked medical to hold her. I tried to call you but couldn't reach you.

Referred by:

Title:

L Conn RN

Phone Ext.:

3120

Response:

Inmate was seen by Dr. Malluri on 6/28/05
 + 6/29/05 by Dr. Malluri

Mental Health Staff Signature:

Date of Response:

Supervisor Signature:

Death Row

BUREAU OF MENTAL HEALTH SERVICES 30/90 Day Segregation Review Report

Inmate Name: <u>Q. Perts</u>	Number: <u>5-5276</u>	Date: <u>11/25/03</u>
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In accordance with ACA Standards and institution policy, inmates held in a segregation area longer than thirty (30) days, or following each ninety (90) day period thereafter, shall be interviewed by a member of the mental health staff to assess the inmate's basic mental condition. This is done in a face-to-face interview

Mental Health Assessment:

Mental Status Examination (Write a Brief Description)

Affect: <u>appropriate</u>	Appearance: <u>clean / neat</u>
Concentration: <u>intact</u>	Intellectual Functioning: <u>intact</u>
Mood: <u>WNL</u>	Memory: <u>intact</u>
Orientation: <u>X3</u>	Speech: <u>clear / coherent</u>
Other:	

Behavioral Observation (Check all Relevant Categories)

- | | | |
|---|---|--|
| <input type="checkbox"/> Aggressive | <input type="checkbox"/> Irrational | <input type="checkbox"/> Passive |
| <input type="checkbox"/> Agitated | <input type="checkbox"/> Labile | <input checked="" type="checkbox"/> Rational |
| <input type="checkbox"/> Delusional | <input type="checkbox"/> Lethargic | <input type="checkbox"/> Terrified/Crying |
| <input checked="" type="checkbox"/> Eye Contact <u>good</u> | <input type="checkbox"/> Loose Associations | <input type="checkbox"/> Withdrawn |
| <input type="checkbox"/> Hallucinating | <input type="checkbox"/> Manipulative | <input type="checkbox"/> Suicidal |
| <input type="checkbox"/> Hyperactivity | <input type="checkbox"/> Paranoia | <input type="checkbox"/> Other: |

Comments: Showing photos of family / dogs

Signature and Discipline of the Person Completing Review: WH PHD

DAC 5205 (6/99)

DISTRIBUTION:

WHITE Mental Health File

CANARY Log

*Donna
Roberts*

BUREAU OF MENTAL HEALTH SERVICES 30/90 Day Segregation Review Report

Inmate Name: <i>Roberts</i>	Number: <i>55276</i>	Date: <i>10/24/03</i>
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In accordance with ACA Standards and institution policy, inmates held in a segregation longer than thirty (30) days, or following each ninety (90) day period thereafter, shall be viewed by a member of the mental health staff to assess the inmate's basic mental condition is done in a face-to-face interview.

Mental Health Assessment:

Mental Status Examination (Write a Brief Description)

Affect: <i>appropriate / sad</i>	Appearance: <i>clean / neat / helpful</i>
Concentration: <i>intact</i>	Intellectual Functioning: <i>intact</i>
Mood: <i>dysphoric</i>	Memory: <i>intact</i>
Orientation: <i>OK</i>	Speech: <i>clean / coherent</i>
Other:	

Behavioral Observation (Check all Relevant Categories)

- | | | |
|--|---|---|
| <input type="checkbox"/> Aggressive | <input type="checkbox"/> Irrational | <input type="checkbox"/> Passive |
| <input type="checkbox"/> Agitated | <input type="checkbox"/> Labile | <input type="checkbox"/> Rational |
| <input type="checkbox"/> Delusional | <input type="checkbox"/> Lethargic | <input type="checkbox"/> Terrified/Crying |
| <input type="checkbox"/> Eye Contact | <input type="checkbox"/> Loose Associations | <input type="checkbox"/> Withdrawn |
| <input type="checkbox"/> Hallucinating | <input type="checkbox"/> Manipulative | <input type="checkbox"/> Suicidal |
| <input type="checkbox"/> Hyperactivity | <input type="checkbox"/> Paranoia | <input type="checkbox"/> Other: _____ |

Comments: *Doing down day as this was
his B Day otherwise doing OK
has bright light.*

Signature and Discipline of the Person Completing Review			
<i>[Signature]</i>	<i>PHD</i>	<i>Psych</i>	
DRC 5205 (6/99)	DISTRIBUTION	WHITE Mental Health File	CANARY Log

ACA 34244

Death
row

BUREAU OF MENTAL HEALTH SERVICES 30/90 Day Segregation Review Report

Inmate Name: <u>Robert</u>	Number: <u>55276</u>	Date: <u>8/28/00</u>
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In accordance with ACA Standards and institution policy, inmates held in a segregation longer than thirty (30) days, or following each ninety (90) day period thereafter, shall be viewed by a member of the mental health staff to assess the inmate's basic mental condition. is done in a face-to-face interview.

Mental Health Assessment:

Mental Status Examination (Write a Brief Description)

Affect: <u>appropriate</u>	Appearance: <u>clear/neat</u>
Concentration: <u>intact</u>	Intellectual Functioning: <u>intact</u>
Mood: <u>WNL</u>	Memory: <u>intact</u>
Orientation: <u>X 4</u>	Speech: <u>clear/coherent</u>
Other: _____	

Behavioral Observation (Check all Relevant Categories)

- | | | |
|---|---|--|
| <input type="checkbox"/> Aggressive | <input type="checkbox"/> Irrational | <input type="checkbox"/> Passive |
| <input type="checkbox"/> Agitated | <input type="checkbox"/> Labile | <input checked="" type="checkbox"/> Rational |
| <input type="checkbox"/> Delusional | <input type="checkbox"/> Lethargic | <input type="checkbox"/> Terrified/Crying |
| <input checked="" type="checkbox"/> Eye Contact <u>good</u> | <input type="checkbox"/> Loose Associations | <input type="checkbox"/> Withdrawn |
| <input type="checkbox"/> Hallucinating | <input type="checkbox"/> Manipulative | <input type="checkbox"/> Suicidal |
| <input type="checkbox"/> Hyperactivity | <input type="checkbox"/> Paranoia | <input type="checkbox"/> Other: _____ |

Comments:

doing O/K
* eating & sleeping continues poor -
life long pattern
Admies Sit
wishing could have pens etc
feeling that brased by due to being
death row inmate

Signature and Discipline of the Person Completing Review

N. Insh. RND Pouch

BUREAU OF MENTAL HEALTH SERVICES 30/90 Day Segregation Review Report

Inmate Name: <u>Roberts</u>	Number: <u>5-5276</u>	Date: <u>9/26/21</u>
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In accordance with ACA Standards and institution policy, inmates held in a segregation longer than thirty (30) days, or following each ninety (90) day period thereafter, shall be viewed by a member of the mental health staff to assess the inmate's basic mental condition. This is done in a face-to-face interview.

Mental Health Assessment:

Mental Status Examination (Write a Brief Description)

Affect: <u>wounded</u>	Appearance: <u>clean / neat</u>
Concentration: <u>intact</u>	Intellectual Functioning: <u>intact</u>
Mood: <u>WNL</u>	Memory: <u>intact</u>
Orientation: <u>x 3</u>	Speech: <u>clear / coherent</u>
Other: _____	

Behavioral Observation (Check all Relevant Categories)

<input type="checkbox"/> Aggressive	<input type="checkbox"/> Irrational	<input type="checkbox"/> Passive
<input type="checkbox"/> Agitated	<input type="checkbox"/> Labile	<input checked="" type="checkbox"/> Rational
<input type="checkbox"/> Delusional	<input type="checkbox"/> Lethargic	<input type="checkbox"/> Terrified/Crying
<input checked="" type="checkbox"/> Eye Contact <u>good</u>	<input type="checkbox"/> Loose Associations	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Hallucinating	<input type="checkbox"/> Manipulative	<input type="checkbox"/> Suicidal
<input type="checkbox"/> Hyperactivity	<input type="checkbox"/> Paranoia	<input type="checkbox"/> Other: _____

Comments: nerves had nails clipped
agitated
sleeping OK
had x-ray - for medical condition -

Signature and Discipline of the Person Completing Review <u>My WSH RHD Psych</u>	_____
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DRC 5205 (6/99)

DISTRIBUTION

WHITE Mental Health File

CANARY Log

**OHIO REFORMATORY FOR WOMEN
INTER-OFFICE COMMUNICATION**

TO: Lt. V. Canode
Sgt. C. Rinehart

FROM: R.L. Brooks, Major

DATE: 7/24/03

SUBJECT: Death Row
Inmate Roberts #55276



Inmate Roberts' orientation period will be up on 7/26/03. Please contact Acting Unit Mgr. P. Jordan to determine whether inmate Roberts has completed all of the orientation required for incoming inmates.

Pending completion of the Death Row Policy and Handbook, inmate Roberts will be afforded the following cell privileges.

- ◆ Three (3) complete sets of inmate uniforms (orange shirts) – laundered weekly
- ◆ Television – Personal
- ◆ Walkman type Radio/Cassette Player – Personal
- ◆ Commissary privileges the same as Level 4A
- ◆ Shower/Shave five (5) times per week
- ◆ Exercise – five (5) times per week – (upon completion of the canopy in the outdoor exercise area, inmate Roberts may exercise in that area during two of her exercise periods, weather permitting, however, this will require an officer to directly supervise)
- ◆ Telephone Calls – one call during each recreation period – ten minutes in duration – additional phone calls to her attorney or clergy of record as required and with approval of the Area 4 Supervisor or the Shift Commander
- ◆ Programming – contact Helen Brooks, Case Mgr. to begin programming
- ◆ Library – legal material and other books provided upon request by kite to the librarian
- ◆ Education – weekly contacts by an education staff person
- ◆ Mental Health – at least weekly contacts by Mental Health Staff
- ◆ Visits – 5 non-contact visits per month

Additional information will be forthcoming, as it becomes available.

Cc:	Warden	D.W.S.S.	T. Moorman, MHA	F. Gaieck, Librarian
	D.W.O.	Commissary	C. Foster, U.M.	P. Jordan, U.M.
	D.W.A.	All Cpts. & Lts.	H. Brooks, C.M.	file

Mood Stabilizers

Lithium

generic

Normal Dosage Range:

300mg - 1200mg

Simply defined, mood stabilizers are medicines used in treating mood disorders such as bipolar disorder and depression. Mood stabilizers are used to treat acute mania, hypomania, and mixed episodes.

Serious side-effects (not common)

- an allergic reaction (difficulty breathing; closing of your throat; swelling of your lips, tongue, or face; or hives)
- blurred vision or eye pain
- nausea, vomiting, or diarrhea
- slurred speech
- extreme drowsiness, weakness, or confusion
- involuntary movements
- ringing in your ears

Less Serious side-effects

- fine hand tremor
- mild increase in thirst or urination
- a rash
- headache or mild dizziness
- swollen feet or hands

Early symptoms of lithium toxicity include drowsiness, diarrhea, vomiting, and nausea, muscular weakness and impaired coordination. At higher levels, toxic symptoms include dizziness, ringing in the ears (tinnitus), slurred speech, increasing confusion, blurred vision, inability to coordinate movements (ataxia), and twitching of facial muscles and limbs. At very toxic levels, there is danger of death resulting from seizures, arrhythmias, and delirium.

Physician Signature: 	Date: 3/12/27
Witness Signature: _____	Date: _____

☐ Patient was given medication information and education but did not sign due to requiring mandated involuntary medications.

Inmate Signature: 	Inmate Printed Last Name: ROBERTS	Number: 55216
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DRC5166 (09/06)



Mental Health Services MEDICATION CONSENT FORM

Inmate Name:

Donna Roberts

Inmate Number:

55276

I agree to treatment with the following medications in the dosage recommended to me by the psychiatrist:

1. Bupropion 100mg to 450mg/day

2.

3.

I have been made aware that the following are benefits which may occur through taking these medications:

Helps with mild to moderate depression & also resistant depression & ADHD

I have been made aware that possible side effects of taking these medications may be:

I risk of seizures, agitation, insomnia, headaches, restlessness, confusion, chills, anesthesias, nausea, vomiting

I voluntarily agree to take the medication(s) listed above as prescribed by the psychiatrist. I understand that this permission may be revoked at my discretion. I have had an opportunity to ask any questions I wished to ask.

I have been made aware of alternative treatments.

Physician's Signature:

RV Smith

Inmate Signature:

Donna Roberts

Date:

7/1/22

Witness Signature:

M. Roberts

I have been advised to take the medications listed above but I am unwilling to take the medication as recommended. The possible consequences of not taking the medication have been explained to me.

Specifically:

Physician's Signature:

Inmate Signature:

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's nameplate only.		Allergies: <u>NKA</u>	
<u>ROBERTS, DONNA</u>		Date: <u>4/17/06</u> Time: <u>10:40 AM</u>	
<u># 55276</u>		<u>METOPROLOL 50mg PO QD</u>	
<u>DOB 5/22/44</u>		<u>PREMARIN 0.625mg PO QD</u>	
		<u>MEDROXYPROGESTERONE 2.5mg PO QD</u>	
		<u>CLONIDINE 0.3mg PO TID</u>	
		<u>MAKZIDE 25mg PO QD</u>	
		<u>NSAEC 4mg PO QD</u>	
		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
<u>NC</u>		<u>[Signature]</u>	<u>A.M. Parkin, MD</u>
Date:	Time:	Date:	Time:
		<u>4/17/06</u>	<u>10:40 AM</u>
		Date: <u>4-18-06</u> Time: <u>15:25</u>	
Allergies:		Allergies:	
Date: <u>5/10/06</u> Time: <u>9:07</u>		Date: <u>5/10/06</u> Time: <u>9:07</u>	
<u>1 Please use ice pack 15-20mg tid</u>		<u>1 Please use ice pack 15-20mg tid</u>	
<u>X 1 wk</u>		<u>X 1 wk</u>	
<u>2 X-ray of R hip + pelvis + Sacrum</u>		<u>2 X-ray of R hip + pelvis + Sacrum</u>	
<u>3 Injections 50mg tid X 1 wk</u>		<u>3 Injections 50mg tid X 1 wk</u>	
<u>4 In one mo do CBT + Hemorrhoids</u>		<u>4 In one mo do CBT + Hemorrhoids</u>	
NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
<u>NC</u>		<u>[Signature]</u>	<u>[Signature]</u>
Date:	Time:	Date:	Time:
		<u>5/10/06</u>	<u>15:30</u>
Allergies:		Allergies:	
Date: <u>5/10/06</u> Time: <u>15:30</u>		Date: <u>5/10/06</u> Time: <u>15:30</u>	
<u>5 Hemorrhoids for final copy</u>		<u>5 Hemorrhoids for final copy</u>	
NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
<u>NC</u>		<u>[Signature]</u>	<u>[Signature]</u>
Date:	Time:	Date:	Time:

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY – YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's nameplate only. Roberts, Donna 55276 DOB 5.22.44		Allergies:	
		Date: 3/22/06	Time:
		Discharge home on Friday and to hold Cephalexin + Elavil until seen by Dr. Melnick on Friday	
		NOTE: If TO – Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature: [Signature]	Nurse Signature: [Signature]
	Date: Time:	Date: 3/22/06 Time: 2:20	Date: 3/22/06 Time: 0435
Roberts, Donna 55276 DOB 5.22.44		Allergies:	
		Date: 4/14/06	Time: See MD
		RE: banged head c/o pain No/efr	
		NOTE: If TO – Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature: [Signature]	Nurse Signature:
	Date: Time:	Date: 4/17/06 Time: 10:25	Date: Time:
ROBERTS, Donna # 55276 DOB 5/22/44		Allergies:	NKA
		Date: 7/11/05	Time: 10:40 AM
		INOCULATED 25% PAIN + PAIN (max of 50 points) VITAMIN C 1000 mg PO BID + PAIN PRIVACOR 100 mg PO BID + PAIN COXIB 100 mg PO BID + PAIN BILATURAL PAIN MANAGEMENT	
		NOTE: If TO – Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature: [Signature]	Nurse Signature: [Signature]
	Date: Time:	Date: 7/11/05 Time: 2:40 PM	Date: 4/19/06 Time:

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
<small>Run addressograph machine over patient's nameplate only.</small> <div style="font-size: 1.5em; transform: rotate(-15deg); position: absolute; left: 100px; top: 100px;"> Rabuk - #55276 4-21-06 </div>		Allergies: <u>NISDA</u> Date: <u>3/24/06</u> Time: <u>11:15 AM</u> <u>cont. doxycycline 100mg bid</u> <u>at same time</u> <u>Rocephin 1 gram</u> <u>discontinue Elavil Synbido</u>	
Unit/Ward: <u>NC</u>	Verification Signature: _____ Date: _____ Time: _____	NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No Physician Signature: <u>R. V. [Signature]</u> Date: <u>3/24/06</u> Time: <u>11:15 AM</u>	Nurse Signature: <u>[Signature]</u> Date: <u>3/24/06</u> Time: <u>12:18</u>
		Allergies: _____ Date: _____ Time: _____	
		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No Physician Signature: _____ Date: _____ Time: _____	
		Nurse Signature: _____ Date: _____ Time: _____	
		Allergies: _____ Date: _____ Time: _____	
		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No Physician Signature: _____ Date: _____ Time: _____	
		Nurse Signature: _____ Date: _____ Time: _____	

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's nameplate only.		Allergies: <u>NKDA</u>	
Roberts 55276 301882520 301882520		Date: <u>3/21/06</u> Time: _____	
		Admit to <u>Inpatient</u>	
		EKG done	
		CBC, Chem 20, Amitriptyline & Nortriptyline & Valproic Acid levels	
		U/A, CTS	
		US & Neuro checks @ 4h	
		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature: <u>C. M. [unclear]</u>	Nurse Signature: <u>M. Himmick</u>
Date:	Time:	Date: <u>3/21/06</u> Time: <u>3:50</u>	Date: <u>3/21/06</u> Time: _____
Roberts 55276		Allergies: _____	
		Date: _____ Time: _____	
		<u>Hold Elavil & Risperdal</u>	
		<u>Continue regular meds - including BP meds</u>	
		1	
		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature: <u>C. M. [unclear]</u>	Nurse Signature: <u>M. Himmick</u>
Date:	Time:	Date: <u>3/21/06</u> Time: <u>3:52</u>	Date: <u>3/21/06</u> Time: _____
Roberts 55276 D.O.B. 5.22.44 NKDA SS# 293-38-1661		Allergies: <u>NKDA</u>	
		Date: _____ Time: _____	
		<u>DC w/ CTS (1/2/06)</u>	
		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Unit/Ward:	Verification Signature:	Physician Signature: <u>C. M. [unclear]</u>	Nurse Signature: <u>[unclear]</u>
Date:	Time:	Date: <u>3/21/06</u> Time: <u>3:52</u>	Date: <u>3/21/06</u> Time: _____

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's name plate only.		Allergies: <u>NKA</u>	
<u>ROBERTS, DONNA</u> <u># 55216</u> <u>DOB 5/22/44</u>		Date: <u>1/12/08</u> Time: <u>12:30 PM</u>	
		<u>METOPROLOL 50mg PO QD</u>	
		<u>PARALIN 0.625mg PO BID</u>	
		<u>MEDROXYPROGESTERONE 2.5mg PO QD</u> X 90 DAYS	
		<u>CLOZAPINE 0.3mg PO TID</u>	
		<u>MAXIZIDE 25mg PO QD</u>	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
<u>VC</u>		<u>[Signature]</u>	<u>[Signature]</u>
Date:	Time:	Date: <u>1/12/08</u> Time: <u>12:30 PM</u>	Date: <u>1-13-08</u> Time: <u>8:00 AM</u>
<u>ROBERTS, DONNA</u> <u># 55216</u> <u>DOB 5/22/44</u>		Date: <u>NKA</u> 1/12/08 Time: <u>12:30 PM</u>	
		<u>INSULIN 25mg PO BID PAN X 90 DAYS</u>	
		<u>(MAX 30/month)</u>	
		<u>ASA EC 81mg PO QD X 90 DAYS</u>	
		<u>VYTORIN 10/10 + PO QD X 90 DAYS</u>	
		<u>PRIDOC 0.1C 20mg PO QD X 90 DAYS</u>	
		<u>CLONIDINE 0.05mg PO QD PAN X 90 DAYS</u>	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
<u>VC</u>		<u>[Signature]</u>	<u>[Signature]</u>
Date:	Time:	Date: <u>1/12/08</u> Time: <u>12:30 PM</u>	Date: <u>1-13-08</u> Time: <u>8:00 AM</u>
<u>ROBERTS, DONNA</u> <u># 55216</u> <u>DOB 5/22/44</u>		Date: <u>1/12/08</u> Time: <u>12:30 PM</u>	
		<u>BU MAMMOGRAPHY (12-00-0000)</u>	
		<u>(PRICE 200.05)</u>	
		<u>LIPID PANEL, CIPAN 1</u>	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
<u>VC</u>		<u>[Signature]</u>	<u>[Signature]</u>
Date:	Time:	Date: <u>1/12/08</u> Time: <u>12:30 PM</u>	Date: <u>1-13-08</u> Time: <u>8:00 AM</u>
<u>ROBERTS, DONNA</u> <u># 55216</u> <u>DOB 5/22/44</u>		Date: <u>2/11/08</u> Time: <u>12:05 PM</u>	
		<u>Elavil 50mg PO BID 3 months from 2/23/08</u>	
		<u>Wellbutrin SR 200mg PO BID 3 months from 2/23/08</u>	
		<u>Symbicort 60mg PO 3 months from 2/23/08</u>	
		<u>Amox 3 months from 2/23/08</u>	
		<u>Depakene 750mg PO BID 3 months from 2/23/08</u>	
		<u>Penicillin 10-12 units</u>	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
<u>VC</u>		<u>[Signature]</u>	<u>[Signature]</u>
Date:	Time:	Date: <u>2/11/08</u> Time: <u>12:05 PM</u>	Date: <u>2/11/08</u> Time: <u>1:00 PM</u>

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's nameplate only.		Allergies:	
ROBERTS # 5-5276 3 rd flr 5/22/44 293-38-1661		Date: 12/01/05 Time: 30/MONTH INDOCI 25y PO BID PRN DSC CRONE MONTH	
Unit/Ward:		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Verification Signature:		Physician Signature: [Signature]	
Date:		Nurse Signature: [Signature]	
Time:		Date: 12/01/05 Time: 12/21/05	
Allergies:		Allergies: NISDA	
Roberts 55276 5/22/44 293-38-1661 RTO 3/21/06 11/06		Date: 12/27/05 Time: 11:00 AM 8 Elavil 50mg PO BID x 3 months from 12/29/05 - Wellbutrin 50mg PO BID x 3 months from 12/29/05 - Gabapentin 600mg PO BID x 3 months from 12/29/05 - Depakote 1500mg PO BID x 3 months from 12/29/05 - Risperidone 2mg BID	
Unit/Ward:		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Verification Signature:		Physician Signature: [Signature]	
Date:		Nurse Signature: [Signature]	
Time:		Date: 12/27/05 Time: 12:00 PM	
Allergies:		Allergies:	
Roberts 55276		Date: 12/30/05 Time: I, Indocin 25mg PO BID x 3 months Zentor 100mg PO BID x 3 months	
Unit/Ward:		NOTE: If TO - Was order written, read back and verified by Physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Verification Signature:		Physician Signature: [Signature]	
Date:		Nurse Signature: [Signature]	
Time:		Date: 12/30/05 Time: 12/30/05	

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY – YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's nameplate only.		Allergies: NKDA	
Robuk # 55276 12-27-05 11:00		Date: 11/18/05 Time: 11:00 AM 1 Flunitrazepam 25mg PO AM - 5mg PO PM 2 months from 11/18/05 - wellbutrin 200mg PO BID 2 months from 11/18/05 - Symbutel 60mg PO AM 2 months from 11/18/05 - Depo-Provera 75mg PO PM 2 months from 11/18/05 - Ruvallin 6 weeks	
Unit/Ward: NC	Verification Signature: [Signature]	Physician Signature: RV [Signature]	Nurse Signature: [Signature] RD
Date: [Blank]	Time: [Blank]	Date: 11/18/05 Time: 11:00 AM	Date: 11-18-05 Time: 12:30p
Robuk # 55276 12-27-05 11:00		Allergies: NKDA Date: 11/18/05 Time: 11:00 AM 12 depo-provera level T C B D A P LETS, chem 3 - T A H in urine 12 Flunit level in urine	
Unit/Ward: NC	Verification Signature: [Signature]	Physician Signature: RV [Signature]	Nurse Signature: [Signature] RD
Date: [Blank]	Time: [Blank]	Date: 11/18/05 Time: 11:00 AM	Date: 11-18-05 Time: 12:30p
Robuk # 55276 00533244 00533244 00533244		Allergies: [Blank] Date: 12/01/05 Time: [Blank] SCHEDULE DSC DO NOT TAKE ON EMPTY STOMACH 3ml - COUGH 100mg PO Q DAY 300715110	
Unit/Ward: [Blank]	Verification Signature: [Signature]	Physician Signature: [Signature]	Nurse Signature: [Signature] RD
Date: [Blank]	Time: [Blank]	Date: 12/1/05 Time: [Blank]	Date: 12/1/05 Time: 11:00

DMP 0020 (Rev 01/04)

DMP 0020 (Rev 01/04)

Note: Stopping of an order is to be written as a

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.

WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's name plate only.		Allergies: NKDA	
Robert # 55276 11-18 11-18		Date: 9/22/05 Time: 12:00 PM Wellbutrin SR 200mg PO BID x 3 months for 9/22/05 - doxycycline 75mg PO BID x 3 months for 9/22/05 - Elavil 25mg PO BID x 3 months for 9/22/05 - gabapentin 600mg PO BID x 3 months for 9/22/05 - Percocet 2 tablets	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
Unit/Ward:	Date: Time:	Date: 9/22/05 Time: 12:00 PM	Date: 9/23/05 Time: 12:25
Roberts 55276		Date: 10/25/05 Time: Maxipron Ophthalmic Solution II q HS to affected eye Q 4h x 1 wk	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
Unit/Ward:	Date: Time:	Date: 10/25/05 Time: 8:50 AM	Date: 10/25/05 Time: 10:00
ROBERTS, DONNA # 55276 DOB 5/22/44 NDO		Date: 10-31-05 Time: NOON METOPROLOL 50mg PO QD MAXIDEX 25mg PO QD PRALOSEC OTC 30mg PO QD CLENIDINE 0.3mg PO TID VITROLIN 10/10 mg PO QD NSAEC 81mg PO QD	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
Unit/Ward:	Date: 11/1/05 Time: 4:30 PM	Date: 10/31/05 Time: NOON	Date: Time:
ROBERTS, D # 55276 NDO		Date: 10-31-05 Time: NOON FENDIN 50mg PO BID (1200/night) x 90 days PRALOSEC 30mg PO QD x 90 days MELOXYPROFEN 7.5mg PO QD x 90 days BL MAMMOGRAM LIPID PANEL; CIPRO	
Unit/Ward:	Verification Signature:	Physician Signature:	Nurse Signature:
Unit/Ward:	Date: 11/1/05 Time: 5:00 PM	Date: 10/31/05 Time: NOON	Date: Time:

[illegible]

DONNA ROBERTS v WARDEN
CASE NO. 4:21-cv-00368-DAP
APPENDIX – PAGE 1835

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.			
WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's name plate only.		Allergies: <u>NADA</u>	
DOB: <u>5-22-44</u> # <u>55276</u> (8-26 11:00)		Date: <u>8/16/05</u> Time: <u>12:00 PM</u> ↓ E/wil <u>15 mg R P P M</u> 12 noon 15 stat Stat - Remeron <u>15 mg R P P M</u> 12 noon from 8/20/05 - Recall in 2 wks cont. symptoms, well but some dep. at the same dose when	
Unit/Ward: <u>NC</u>	Verification Signature: Date: _____ Time: _____	Physician Signature: <u>R. V. [Signature]</u> Date: <u>8/16/05</u> Time: <u>12:00 P</u>	Nurse Signature: <u>[Signature]</u> Date: <u>8/16/05</u> Time: <u>12 p</u>
<u>ROBERT</u> <u>NADA</u>		Date: <u>08/31/05</u> Time: <u>9:50 AM</u> <u>POUCCO-CA</u> <u>R-11</u>	
Unit/Ward:	Verification Signature: <u>[Signature]</u> Date: <u>8/31/05</u> Time: <u>9:30 A</u>	Physician Signature: <u>[Signature]</u> Date: <u>08/31/05</u> Time: _____	Nurse Signature: _____ Date: _____ Time: _____
Unit/Ward: _____ Verification Signature: _____ Date: _____ Time: _____		Physician Signature: _____ Date: _____ Time: _____	
Unit/Ward: _____ Verification Signature: _____ Date: _____ Time: _____		Nurse Signature: _____ Date: _____ Time: _____	
Unit/Ward: _____ Verification Signature: _____ Date: _____ Time: _____		Physician Signature: _____ Date: _____ Time: _____	
Unit/Ward: _____ Verification Signature: _____ Date: _____ Time: _____		Nurse Signature: _____ Date: _____ Time: _____	

[illegible]

Note: Stopping of an order is to be written as a specific new order.

PLEASE PRESS FIRMLY - YOU ARE MAKING TWO COPIES.

WRITE OR IMPRINT PATIENT INFORMATION		ORDERS	
Run addressograph machine over patient's nameplate only. DONNA ROBERTS #55276		Allergies: Date: 08/03/05 Time: 1030AM OBGYN DIFF CHL. 7 PAUSE MR. SCAN of HEAD MEMORY DEFICIT OPTOMETRY CONSULT	
Unit/Ward:	Verification Signature: Date: Time:	Physician Signature: Date: Time:	Nurse Signature: Date: Time:
DONNA ROBERTS #55276 30130063		Allergies: Date: 08/03/05 Time: 1030AM THYROID FUNCTION TSH, T4	
Unit/Ward:	Verification Signature: Date: Time:	Physician Signature: Date: Time:	Nurse Signature: Date: Time:
DONNA ROBERTS #55276		Allergies: Date: 08/29/05 Time: 945AM 3mg METOPROLOL 50mg po qday 3mg CLOZIDINE 3mg po tid 3mg MAXZIDE 25mg po qday 3mg ASA 81mg po qday 3mg VITON 10mg po qday 3mg PRONASE 20mg po qday	
Unit/Ward:	Verification Signature: Date: Time:	Physician Signature: Date: Time:	Nurse Signature: Date: Time:

DMH-0020 (Rev. 2/04)

Distribution: White - Medical Record, Green - Pharmacy, Canary - Dietary

PHYSICIAN'S ORDERS

DMH-MedR-1016

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Requested: 4/13/2007
 Date of Collection: 4/13/2007
 Time of Collection: 1300
 Completion Date: 4/16/2007

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH
 Name: ROBERTS, DONNA DOB: 5/22/1944 Ordering Doctor: Unknown
 Inmate #: W055276 Order Type: Medical Request Type: Sex: F
 Sample Identification #: 31145053

Microbiology Culture Scan Results

Source: urine
 Results: Positive
 Colony Count:

Test	Isolate 1	Isolate 2	Isolate 3
Isolate	E. faecalis		
Growth	>100		
Panel	Panel PC21		
Biotype	607757646		
Ampicillin	S		
B-Hemolytic	N		
Ciprofloxacin	S		
Gent Synergy Scr	R		
Gentamicin Synergy	R		
Nitrofurantoin	S		
Penicillin	S		
Thymidine-Dependent	P		
Vancomycin	S		

Sample Identification #: 31145053 Name: ROBERTS, DONNA Inmate #: W055276

*Patte
 traced
 4/21/07*

RECEIVED
 APR 16 2007

BY:

Corrections Medical Center, Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Logged: 3/30/2007 ✓
 Date of Collection: 3/30/2007
 Time of Collection: 0600
 Completion Date: 3/30/2007

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH
 Name: ROBERTS, DONNA DOB: 5/22/1944 Ordering Doctor: SPAGNA
 Inmate #: W055276 Order Type: Medical Request Type: Sex: F
 Sample Identification #: 31145683

Test Name	Result	Code	Units	F Low	-	F High	Normals
<i>Service Group: CHEMISTRY</i>							
UREA NITROGEN	19		mg/dL	6	-	20	
CREATININE	1.2	HIGH	mg/dL	0.6	-	1.1	
GLUCOSE	116	HIGH	mg/dL	70	-	106	
POTASSIUM	4.4		mmol/L	3.4	-	5.1	
BUN/CREATININE RATIO	15.8		RATIO	12.0	-	20.0	
CHLORIDE	106		mmol/L	98	-	107	
HCO3	27		meq/L	20	-	31	
SODIUM	141		mmol/L	136	-	145	

Sample Identification #: 31145683 Name: ROBERTS, DONNA Inmate #: W055276

645
 7/13/07

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BY:

Corrections Medical Center Laboratory
1990 Harmon Ave; Columbus, OH 43223
Martin Akusoba, MD, CMC Medical Director
Michael Maymind, MD, Laboratory Director

Date Logged: 2/20/2007
Date of Collection: 2/20/2007
Time of Collection:
Completion Date: 2/20/2007

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH
Name: ROBERTS, DONNA DOB: 5/22/1944 Ordering Doctor: SPAGNA
Inmate #: W055276 Order Type: Medical Request Type: Sex: F
Sample Identification #: 31075641

Test Name	Result	Code	Units	F Low	F High	Normals
Service Group: CHEMISTRY						
ALBUMIN	4.0		g/dL	3.4	4.8	
ALK PHOS	16		U/L	25	100	
UREA NITROGEN	18		mg/dL	6	20	
T.BILIRUBIN	0.3		mg/dL	0.3	1.2	
CALCIUM	9.6		mg/dL	8.6	10.0	
CHOLESTEROL	160		mg/dL	50	200	
CREATININE	1.0		mg/dL	0.6	1.1	
GLUCOSE	120	HIGH	mg/dL	70	106	
HDL	44		mg/dL	40	85	
CH/HDL	3.7	LOW	RATIO	4.0	6.7	
LDL(cal)	62	LOW	MG/DL	100	127	
VLDL(cal)	54	HIGH	MG/DL	0	42	
PHOSPHOROUS	4.6	HIGH	mg/dL	2.7	4.5	
LD	161		U/L	100	190	
POTASSIUM	4.1		mmol/L	3.4	5.1	
ALT ACTIVATED	15		U/L	7	35	
AST-ACTIVATED	21		U/L	13	35	
TOTAL PROTEIN	7.5		g/dL	6.4	8.3	
TRIGLYCERIDE	272	HIGH	mg/dL	50	249	
URIC ACID	5.4		mg/dL	2.6	6.0	
A/G	1.1		RATIO	1.1	1.9	
BUN/CREATININE RATIO	18.0		RATIO	12.0	20.0	
CHLORIDE	103		mmol/L	98	107	
HCO3	25		meq/L	20	31	
GLOBULIN	3.5		G/DL	2.3	3.5	
SODIUM	138		mmol/L	136	145	
Service Group: CHEMSPEC						
TSH	5.13		uIU/ML	0.35	5.50	
FREE T4	1.39		ng/dL	0.89	1.76	
Service Group: URINE						
AMORPH	1.0					
URN.WBC	15-29/HPF					
COLOR	YELLOW					YELLOW
CLARITY	CLEAR					CLEAR
pH	5.5			5.0	7.5	
SPECIFIC GRAVITY	1.012			1.010	1.025	
GLUCOSE	NEGATIVE		MG/DL			NEGATIVE
KETONES	NEGATIVE		MG/DL			NEGATIVE
PROTEIN	NEGATIVE		MG/DL			NEGATIVE
BILIRUBIN	NEGATIVE					NEGATIVE
OCCULT BLOOD	NEGATIVE					NEGATIVE
LEUKOCYTES	MODERATE					NEGATIVE
NITRATES	NEGATIVE					NEGATIVE

UROBILINOGEN

0.2

1: U / B

0.1

1.0

Sample Identification #: 31075641 Name: ROBERTS, DONNA Inmate #: W055276

11-5
31/10/1

11-5

RECEIVED

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Logged: 11/27/2006
 Date of Collection: 11/27/2006
 Time of Collection: 0735
 Completion Date: 11/27/2006

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH

Name: ROBERTS, DONNA DOB: 5/22/1944

Ordering Doctor: SPAGNA

Inmate #: W055276

Order Type: Medical

Request Type:

Sex: F

Sample Identification #: 31100423

Test Name	Result	Code	Units	F Low	F High	Normals
<i>Service Group: CHEMISTRY</i>						
CHOLESTEROL	226	HIGH	mg/dL	50	-	200
HDL	49		mg/dL	40	-	85
CH/HDL	4.7		RATIO	4.0	-	6.7
TRIGLYCERIDE	529	HIGH	mg/dL	50	-	249

Comment: VLDL AND LDL CAN NOT BE CALCULATED IF TRIG IS GREATER THAN 400.

Sample Identification #: 31100423 Name: ROBERTS, DONNA Inmate #: W055276

VAS 12/8/06

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Ordered: 8/23/2006
 Date of Collection: 8/23/2006
 Time of Collection: 0710
 Completion Date: 8/23/2006

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH
 Name: ROBERTS, DONNA DOB: 5/22/1944 Ordering Doctor: SPAGNA
 Inmate #: W055276 Order Type: Medical Request Type: Sex: F
 Sample Identification #: 31047125

Test Name	Result	Code	Units	F Low	F High	Normals
Service Group: CHEMISTRY						
UREA NITROGEN	19		mg/dL	6	20	
CHOLESTEROL	151		mg/dL	50	200	
CREATININE	1.0		mg/dL	0.6	1.1	
GLUCOSE	89		mg/dL	70	106	
HDL	39	LOW	mg/dL	40	85	
CH/HDL	3.9	LOW	RATIO	4.0	6.7	
POTASSIUM	4.1		mmol/L	3.4	5.1	
TRIGLYCERIDE	500	HIGH	mg/dL	50	249	
Comment: VLDL AND LDL CAN NOT BE CALCULATED IF TRIG IS GREATER THAN 400.						
BUN/CREATININE	18.6		RATIO	12.0	20.0	
CHLORIDE	103		mmol/L	98	107	
HCO3	25		meq/L	20	31	
SODIUM	137		mmol/L	136	145	

Sample Identification #: 31047125 Name: ROBERTS, DONNA Inmate #: W055276

VAS

9/1/06

CMC Medical Lab Orders

Page 21 of

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Logged: 7/6/2006
 Date of Collection: 7/6/2006
 Time of Collection: 1022
 Completion Date: 7/6/2006

Facility: ORW, 1479 COLLINS AVENUE, MARYSVILLE, OH

Name: ROBERTS, DONNA

DOB: 5/22/1944

Ordering Doctor: HELD

Inmate #: W055276

Order Type: Medical

Request Type:

Sex: F

Sample Identification #: 31024397

Test Name	Result	Code	Units	F Low	-	F High	Normals
<i>Service Group: HEMO</i>							
WBC	5.4		K/UL	4.8	-	10.8	
NEU	55.6		%	44.4	-	70.9	
NEU ABS	3.0		K/UL	2.1	-	7.7	
MONO	6.3		%	4.7	-	13.5	
MONO ABS	0.3		K/UL	0.2	-	1.5	
LYM	37.5		%	19.2	-	41.3	
LYM ABS	1.0		K/UL	0.9	-	4.5	
EOS	0.3	LOW	%	0.8	-	7.2	
EOS ABS	0.0	LOW	K/UL	0.1	-	0.8	
BASO	0.3		%	0.0	-	2.2	
BASO ABS	0.0	LOW	K/UL	0.0	-	0.2	
RBC	4.00	LOW	M/UL	4.20	-	5.40	
HGB	12.8		G/DL	12.0	-	16.0	
HCT	38		%	37	-	47	
MCV	93.7		FL	81.0	-	99.0	
MCH	32.0	HIGH	PG	27.0	-	31.0	
MCHC	34.1		G/DL	33.0	-	36.0	
PLT	390		K/UL	130	-	400	
MPV	8.9		FL	7.4	-	10.4	
RDW	13.3		%	11.5	-	14.5	

Sample Identification #: 31024397 Name: ROBERTS, DONNA Inmate #: W055276

LAB RECEIVED

AT 10:11

ON 7/6/06 2006

JAS

CMC Medical Lab Orders

Page 69 of 1

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Logged: 6/14/2006
 Date of Collection: 6/14/2006
 Time of Collection: 0855
 Completion Date: 6/14/2006

Facility: ORW, 1479 COLLINS AVENUE, MARYSVILLE, OH

Name: ROBERTS, DONNA

DOB: 5/22/1944

Ordering Doctor: HELD

Inmate #: W055276

Order Type: Medical

Request Type:

Sex: F

Sample Identification #: 31025510

Test Name	Result	Code	Units	F Low	-	F High	Normals
<i>Service Group: HEMO</i>							
WBC	5.5		K/UL	4.8	-	10.8	
NEU	43.6	LOW	%	44.4	-	70.9	
NEU ABS	2.4		K/UL	2.1	-	7.7	
MONO	6.6		%	4.7	-	13.5	
MONO ABS	0.4		K/UL	0.2	-	1.5	
LYM	47.6	HIGH	%	19.2	-	41.3	
LYM ABS	2.6		K/UL	0.9	-	4.5	
EOS	1.6		%	0.8	-	7.2	
EOS ABS	0.1	LOW	K/UL	0.1	-	0.8	
BASO	0.6		%	0.0	-	2.2	
BASO ABS	0.0	LOW	K/UL	0.0	-	0.2	
RBC	3.93	LOW	M/UL	4.20	-	5.40	
HGB	12.6		G/DL	12.0	-	16.0	
HCT	36	LOW	%	37	-	47	
MCV	92.6		FL	81.0	-	99.0	
MCH	32.0	HIGH	PG	27.0	-	31.0	
MCHC	34.3		G/DL	33.0	-	36.0	
PLT	427	HIGH	K/UL	130	-	400	
MPV	8.2		FL	7.4	-	10.4	
RDW	13.7		%	11.5	-	14.5	

Sample Identification #: 31025510 Name: ROBERTS, DONNA Inmate #: W055276

Done
6/16/06

LAB RECEIVED

AT 6/16/06

QHS 1003

1.3

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Logged: 3/22/2006
 Date of Collection: 3/22/2006
 Time of Collection: 0312
 Completion Date: 3/30/2006

Facility: ORW, 1479 COLLINS AVENUE, MARYSVILLE, OH
 Name: ROBERTS, DONNA DOB: 5/22/1944
 Inmate #: W055276 Order Type: Medical
 Sample Identification #: 30188253D

Ordering Doctor: MOSHER
 Request Type: Sex: F

Test Name	Result	Code	Units	F Low	-	F High	Normals
<i>Service Group: CHEMISTRY</i>							
ALT	11	LOW	RATIO	11		19	
ALBUMIN	3.8		g/dL	3.4	-	4.8	
ALK PHOS	55		U/L	25	-	100	
ALT-ACTIVATED	29		U/L	7		35	
AST-ACTIVATED	43	HIGH	U/L	13	-	35	
HCO3	26		meq/L	20		31	
BILIRUBIN	0.4		mg/dL	0.3		1.2	
BUN/CREATININE	19.6		RATIO	12.0		20.0	
CALCIUM	8.7		mg/dL	8.6		10.0	
CHLORIDE	100		mmol/L	98		107	
CHOLESTEROL	165		mg/dL	50		200	
CREATININE	0.8		mg/dL	0.6		1.1	
GLOBULIN	3.5	HIGH	G/DL	2.3		3.5	
GLUCOSE	151	HIGH	mg/dL	70		106	
LD	232	HIGH	U/L	100	-	190	
PHOSPHOROUS	4.0		mg/dL	2.7		4.5	
POTASSIUM	3.6		mmol/L	3.4		5.1	
SODIUM	140		mmol/L	136		145	
TOTAL PROTEIN	7.3		g/dL	6.4		8.3	
TRIGLYCERIDE	636	HIGH	mg/dL	50		249	
UREA NITROGEN	16		mg/dL	6		20	
URIC ACID	9.1	HIGH	mg/dL	2.6		6.0	
<i>Service Group: HEMO</i>							
WBC	7.6		K/UL	4.8		10.8	
NEU	62.3		%	44.4		70.9	
NEU ABS	4.7		K/UL	2.1		7.7	
MONO	5.4		%	4.7		13.5	
MONO ABS	0.4		K/UL	0.2		1.5	
LYM	30.0		%	19.2		41.3	
LYM ABS	2.3		K/UL	0.9		4.5	
EOS	2.0		%	0.8		7.2	
EOS ABS	0.2		K/UL	0.1		0.8	
BASO	0.3		%	0.0		2.2	
BASO ABS	0.0	LOW	K/UL	0.0		0.2	
RBC	3.71	LOW	M/UL	4.20		5.40	
HGB	2.0	LOW	G/DL	12.0		16.0	
HCT	35	LOW	%	37		47	
MCV	95.0		FL	81.0		99.0	
MCH	52.3	HIGH	PG	27.0		31.0	

LAB RECEIVED

AT ORW

ON APR 28 2006

JAS

CMC Medical Lab Orders

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MCHC	34.0	L/DL	33.0	36.0
PLT	155	K/UL	130	400
MPV	7.9	f-L	7.4	10.4
RDW	11.4	%	11.5	14.5

Service Group: OSU TESTS

Amitriptyline 217.0 ng/mL

Comment: (Amitriptyline+Nortriptyline) Therapeutic 150-250 ng/mL Potentially toxic range: > 500 ng/mL

Nortriptyline 234.0 ug/mL

Comment: Therapeutic level: 50-150 ng/mL Potentially toxic level: > 500 ng/mL

Service Group: TDM

VALPROIC ACID 28.0 LOW ug/mL 50.0 100.0

Sample Identification #: 30188253D Name: ROBERTS, DONNA Inmate # W055276

LAB RECEIVED

AT DRW

ON APR 26 2006

JAS

CMC Medical Lab Results Report

Page 1 of 1

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Logged: 2/14/2006
 Date of Collection: 2/14/2006
 Time of Collection: 0850
 Completion Date: 2/14/2006

Facility: ORW, 1479 COLLINS AVENUE, MARYSVILLE, OH

Name: ROBERTS, DONNA

DOB: 5/22/1944

Ordering Doctor: SPAGNA

Inmate #: W055276

Order Type: Medical

Request Type:

Sex: F

Sample Identification #: 30184085d

Test Name	Result	Code	Units	F Low	F High	Normals
Service Group: CHEMISTRY						
HCO3	25		meq/L	20	31	
BUN/CREATININE	18.1		RATIO	12.0	20.0	
CHLORIDE	99		mmol/L	98	107	
CHOLESTEROL	166		mg/dL	50	200	
CREATININE	0.9		mg/dL	0.6	1.1	
GLUCOSE	120	HIGH	mg/dL	70	106	
HDL	46		mg/dL	40	85	
CH/HDL	3.6	LOW	RATIO	4.0	6.7	
POTASSIUM	4.0		mmol/L	3.4	5.1	
SODIUM	138		mmol/L	136	145	
TRIGLYCERIDE	510	HIGH	mg/dL	50	249	

Comment: LDL and VLDL cannot be calculated when triglycerides are greater than 400mg/dl

UREA NITROGEN 16 mg/dL 6 20

Sample Identification #: 30184085d Name: ROBERTS, DONNA Inmate #: W055276

1/05

LAB RECEIVED

AT DEV

ON MAR 10 2006

LAB

CMC Medical Lab Orders

Page 16 of 5

Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Martin Akusoba, MD, CMC Medical Director
 Michael Maymind, MD, Laboratory Director

Date Logged: 2/14/2006
 Date of Collection: 2/14/2006
 Time of Collection: 0850
 Completion Date: 2/14/2006

Facility: ORW, 1479 COLLINS AVENUE, MARYSVILLE, OH

Name: ROBERTS, DONNA

DOB: 5/22/1944

Ordering Doctor: SPAGNA

Inmate #: W055276

Order Type: Medical

Request Type:

Sex: F

Sample Identification #: 30184085d

Test Name	Result	Code	Units	F Low	-	F High	Normals
<i>Service Group: CHEMISTRY</i>							
HCO3	25		meq/L	20	-	31	
BUN/CREATININE	18.1		RATIO	12.0	-	20.0	
CHLORIDE	99		mmol/L	98		107	
CHOLESTEROL	166		mg/dL	50		200	
CREATININE	0.9		mg/dL	0.6		1.1	
GLUCOSE	120	HIGH	mg/dL	70	-	106	
HDL	46		mg/dL	40	-	85	
CH/HDL	3.6	LOW	RATIO	4.0	-	6.7	
POTASSIUM	4.0		mmol/L	3.4		5.1	
SODIUM	138		mmol/L	136	-	145	
TRIGLYCERIDE	510	HIGH	mg/dL	50	-	249	

Comment: LDL and VLDL cannot be calculated when triglycerides are greater than 400mg/dl

UREA NITROGEN

16

mg/dL

6

20

Sample Identification #: 30184085d Name: ROBERTS, DONNA Inmate #: W055276

W/S

LAB RECEIVED

AT ORW

ON MAR 7 2006

JAS

Corrections Medical Center Laboratory
1990 Harmon Ave; Columbus, Ohio 43223
Martin Akusoba, MD, Medical Director
Michael Maymind, MD, Laboratory Director

Date of Collection: 07/31/2003
Date Logged: 08/05/2003
Date of Completion: 08/18/2003
Date of This Report: 08/18/2003

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH; Med Dir: DR. IKE
Patient Name: ROBERTS DONNA DOB: 05/22/1944 Ordering Doctor: IKE
Patient #: W055276 Sex: F Ward: AR4D

Sample Identification#: C14411

Service Group: Cytology

Source of Specimen: CervicalVaginal

Date of LMP:

Routine Examination?: Yes History of Cancer?: No

Previous Cytology: Neg.

Previous Treatment:

Additional Information: Estrogen Replacement x 4 years

Clinical History: left Salpingectomy 1962
MENOPAUSAL:1998

Statement on Specimen Adequacy: Satisfactory for evaluation.

Diagnosis: Negative for intraepithelial lesion or malignancy.

Comments:

Performed By: Michele Listebarger, CT (ASCP)



The Pap smear is not a diagnostic procedure and should not be used as the sole means to detect cervical cancer. It is only a screening test to aid in the detection of cervical cancer and its precursors. Due to false-negative results, an annual Pap smear is recommended.

CMC Medical Lab Orders

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Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Dr Martin Akusoba, CMC Medical Director
 Dr. Michael Maymind, MD Director

Date Logged: 6/27/2003
 Date of Collection: 6/27/2003
 Time of Collection: 0910
 Report Date: 7/1/2003

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH
 Name: ROBERTS, DONNA DOB: 5/22/1944 Ordering Doctor: IKE
 Inmate #: W055276 Order Type: Medical Request Type: Sex: F
 Sample Identification #: 20214056

Test Name	Result	Code	Units	F Low	F High
Service Group: CHEMISTRY					
ALT-ACTIVATED	16		IU/L	10	35
CHOLESTEROL	207		MG/DL	100	240
GLUCOSE	116	HIGH	MG/DL	70	105
HDL	46		MG/DL	30	85
CH/HDL	4.5		RATIO	4.0	6.7
TRIGLYCERIDE	580	HIGH	MG/DL	35	135

Service Group: CHEMSPEC

BETA HCG	<2.0		mIU/ML	0.0	5.0
FREE T4	0.83		ng/dL	0.71	1.85
THYROXIN (T-4)	7.5		UG/DL	4.5	12.0
TSH	0.77		uIU/ML	0.49	4.67

Service Group: HEMO

WBC	7.8		K/UL	4.8	10.8
RBC	4.02	LOW	M/UL	4.20	5.4
HGB	13.3		G/DL	12.0	16.0
HCT	38		%	37	47
MCV	94.8		FL	81.0	99.0
MCH	32.9	HIGH	PG	27.0	31.0
MCHC	34.7		G/DL	33.0	37.0
RDW	12.1		%	11.5	14.5
PLT	319		K/UL	130	400
MPV	8.0		fL	7.4	10.4

Service Group: IMMUNO

HIV-1/HIV-2	NON-REACTIVE
-------------	--------------

Service Group: SERO

RPR	NON-REACTIVE
-----	--------------

Service Group: TDM

VALPROIC ACID	29.3	LOW
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Sample Identification #: 20214056 Name: ROBERTS Inmate #: W0552

CMC Medical Lab Orders

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Corrections Medical Center Laboratory
1990 Harmon Ave; Columbus, OH 43223
Dr Martin Akusoba, CMC Medical Director
Dr. Michael Maymind, MD Director

Date Logged: 8/4/2003
Date of Collection: 7/31/2003
Time of Collection: 1115
Report Date: 8/7/2003

Facility: OHIO REFORMATORY FOR WOMEN, 1479 COLLINS AVENUE, MARYSVILLE, OH
Name: ROBERTS, DONNA **DOB:** 5/22/1944 **Ordering Doctor:** IKE
Inmate #: W055276 **Order Type:** Medical **Request Type:** **Sex:** F
Sample Identification #: 20214055

Service Group: IMMUNO

Chlamydia DNA Probe	Negative	-
Gonorrhea DNA Probe	Negative	-

Sample Identification #: 20214055 Name: ROBERTS Inmate #: W055276

180
8/4/03

CMC Medical Lab Orders

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Corrections Medical Center Laboratory
 1990 Harmon Ave; Columbus, OH 43223
 Dr Martin Akusoba, CMC Medical Director
 Dr. Michael Maymind, MD Director

Date Logged: 6/27/2003
 Date of Collection: 6/27/2003
 Time of Collection: 0910
 Report Date: 6/30/2003

Facility: OHIO REFORMATORY FOR WOMEN , 1479 COLLINS AVENUE , MARYSVILLE , OH
 Name: ROBERTS , DONNA DOB: 5/22/1944 Ordering Doctor: IKE
 Inmate #: W055276 Order Type: Medical Request Type: Sex: F
 Sample Identification #: 20214056

pull 7-1-0 JDI

Test Name	Result	Code	Units	F Low	-	F High
Service Group: CHEMISTRY						
ALT-ACTIVATED	16		IU/L	10	-	35
CHOLESTEROL	207		MG/DL	100	-	240
GLUCOSE	116	HIGH	MG/DL	70	-	105
HDL	46		MG/DL	30	-	85
CH/HDL	4.5		RATIO	4.0	-	6.7
TRIGLYCERIDE	580	HIGH	MG/DL	35	-	135

Service Group: CHEMSPEC

BETA HCG	<2.0		mIU/ML	0.0	-	5.0
FREE T4	0.83		ng/dL	0.71	-	1.85
THYROXIN (T-4)	7.5		UG/DL	4.5	-	12.0
TSH	0.77		uIU/ML	0.49	-	4.67

Service Group: HEMO

WBC	7.8		K/UL	4.8	-	10.8
RBC	4.02	LOW	M/UL	4.20	-	5.4
HGB	13.3		G/DL	12.0	-	16.0
HCT	38		%	37	-	47
MCV	94.8		fL	81.0	-	99.0
MCH	32.9	HIGH	PG	27.0	-	31.0
MCHC	34.7		G/DL	33.0	-	37.0
RDW	12.1		%	11.5	-	14.5
PLT	319		K/UL	130	-	400
MPV	8.0		fL	7.4	-	10.4

Service Group: IMMUNO

HIV-1/HIV-2 Pending

Service Group: SERO

RPR NON-REACTIVE

Service Group: TDM

VALPROIC ACID 29.3 LOW

Sample Identification #: 20214056 Name: ROBERTS Inmate #: W0552

Corrections Medical Center

1990 Harmon Ave., Columbus OH 43223-0658

(614)445-5960 Radiology: ext. 2734 11/28/2006

ROBERTS W055276 ORW 657962A

HIP 11/20/2006

RIGHT HIP, TWO VIEWS

Including AP view of the pelvis

The appearance is unchanged from a study done in May with mild marginal arthritic changes. Joint space is not markedly narrowed and the femoral head remains smooth. No acute findings are noted in the bony pelvis.

12/1/06



Thomas T. Fox, M.D.

rjy

11/22/2006 12:00

electronically signed

professional radiology services by Mid-Ohio Radiology, Inc.

Corrections Medical Center

1990 Harmon Ave., Columbus OH 43223-0658

(614)445-5960 Radiology: ext. 2734 11/28/2006

ROBERTS W055276 ORW 657962B

SACRO-ILIAC 11/20/2006

SACRUM, AP AND LATERAL VIEWS

There is accentuation of lumbosacral angle. To the extent of visualization the sacrum appears intact with no definite fracture or other acute abnormalities noted.

12/1/06 KW



Thomas T. Fox, M.D.

tjy

11/22/2006 12:00

electronically signed

professional radiology services by Mid-Ohio Radiology, Inc.

Corrections Medical Center

1990 Harmon Ave., Columbus OH 43223-0658
(614)445-5960 Radiology: ext. 2734 7/7/2006

ROBERTS W055276 ORW 647064
MAMMOGRAM 07/01/2006

SCREENING MAMMOGRAPHY

Three views each side.

Comparison 8/23/04

There is moderately dense glandular tissue in the conus area on each side. There are stable punctate calcifications within the glandular tissue centrally and laterally. No suspicious mass or clustered microcalcifications is seen.

IMPRESSION; Negative with stable benign calcifications bilaterally. Routine screening is recommended in one year.

Birad: Benign.

DM
7/11/06

S. Douglas Haas, M.D.

S. Douglas Haas, M.D.

rjy

7/6/2006 12:00:00

electronically signed

professional radiology services by Mid-Ohio Radiology, Inc.

Corrections Medical Center

1990 Harmon Ave., Columbus OH 43223-0658

(614)445-5960 Radiology: ext. 2734

5/22/2006

ROBERTS W055276 ORW 263299B

HIP 05/17/2006

RIGHT HIP, TWO VIEWS INCLUDING AP VIEW PELVIS

Mild surrounding arthritic changes involving the right hip is unchanged from January 2005. The joint space is not markedly narrowed and the contour of the femoral head remains smooth. No acute bony abnormalities were noted.

5/24/06



Thomas T. Fox, M.D.

ijy

5/19/2006 12:00:1

electronically signed

professional radiology services by Mid-Ohio Radiology, Inc.

Corrections Medical Center

1990 Harmon Ave., Columbus OH 43223-0658

(614)445-5960 Radiology: ext. 2734 5/22/2006

ROBERTS W055276 ORW 263299A

LUMBAR SPINE 05/17/2006

THREE VIEWS

I see no change from a study done in October 2004. No malalignment or compression deformities are seen and I believe the disc spaces are maintained. Increased density over the lower facet joints again suggest arthropathy better evaluated with oblique projections.

Handwritten note:
To: [unclear]
File: [unclear] 5/30/06

Thomas T. Fox, MD

Thomas T. Fox, M.D.

rjy

5/19/2006 12:00:1

electronically signed

professional radiology services by Mid-Ohio Radiology, Inc.

Corrections Medical Center

1990 Harmon Ave., Columbus OH 43223-0658
(614)445-5960 Radiology: ext. 2734 8/27/04

ROBERTS W055276 ORW 261900

MAMMOGRAM 08/23/2004

SCREENING MAMMOGRAM:

Three views of the right side and two views of the left on 8/23/04. No previous exams are available. An additional MLO view of the right side was obtained for positioning. There is moderately dense glandular tissue centrally and anteriorly on each side with partially confluent soft tissue densities which limit mammography. No suspicious mass or microcalcification is seen.

IMPRESSION: Routine screening is recommended in one year.

Birad; Negative

S. Douglas Haas, M.D.

S. Douglas Haas, M.D.

rjy

8/26/04 12:00:00A

electronically signed

professional radiology services by Mid-Ohio Radiology, Inc.

Tuberculosis Medical History

Inmate Name: <u>Roberts, Donna</u>		Number: <u>W055276</u>	
Institution: <u>ORW</u>	Race: <u>White</u>	Sex: <u>♀</u>	DOB: <u>05/22/1944</u>

☐ Positive TB Test
 ☐ Positive HIV
 ☐ Immunosuppressant Therapy

If history of positive TB test but no documentation to confirm found, mark X by positive TB test (Even if history is questionable). Last PPD results, if hx positive PPD, are mm documented? Has inmate received follow up? CXR/AFB results? Past treatment dates documented?

10/2006 Lot# 27627 Exp. 10/2007

Skin Test

Date Administered: <u>10/10/06</u>	Administered By: <u>Deere</u>	Date Read: <u>10-12-06</u>	Results in mm: <u>0 mm</u>
Date Administered:	Administered By:	Date Read:	Results in mm:
Date Administered:	Administered By:	Date Read:	Results in mm:

SYMPTOMS: (To be asked if PPD is read as >5mm including those with positive history of skin test who have not been treated)

- ☐ Chronic cough (hangs on a long time) usually associated with sputum production
 ☐ Spitting up Blood
 ☐ Fever/Chills
☐ Unexplained weight loss
 ☐ Fatigue (feeling tired all the time)
 ☐ Night sweats
 ☐ Weakness
☐ Anorexia - Loss of Appetite

Chest X-Rays

Date:	Results: <input type="checkbox"/> Normal <input type="checkbox"/> Abnormal
-------	--

X-Ray Findings:

Sputums

First:	Date Obtained:	Smear Results:	Culture Results:
Second:	Date Obtained:	Smear Results:	Culture Results:
Third:	Date Obtained:	Smear Results:	Culture Results:

Liver Profile Date Drawn: _____ HIV Drawn: _____

Treatment Started: (MM/DD/YR)		Medication and Duration:		
INH:	RIF:	EMB:	PZA:	Other:
<input type="checkbox"/> Old Positive <input type="checkbox"/> New Positive <input type="checkbox"/> Converter <input type="checkbox"/> Contact <input type="checkbox"/> Entrance <input type="checkbox"/> Routine				
Forms Completed by:			Date Infect. Disease Coordinator Notified & By Whom:	

Tuberculosis Medical History

Inmate Name: <u>Roberts</u>		Number: <u>55276</u>	
Institution: <u>DRW</u>	Race: <u>W</u>	Sex: <u>F</u>	DOB: <u>5.22.44</u>

☐ Positive TB Test
 ☐ Positive HIV
 ☐ Immunosuppressant Therapy

If history of positive TB test but no documentation to confirm found, mark X by positive TB test (Even if history is questionable) Last PPD results, if hx positive PPD, are mm documented? Has inmate received follow up? CXR/AFB results? Past treatment dates documented?

Skin Test

Date Administered: <u>LFA</u> <u>10-4-05</u>	Administered By: <u>DMH/MCN</u>	Date Read: <u>10/6/05</u>	Results in mm: <u>X TB</u>
Date Administered:	Administered By:	Date Read:	Results in mm:
Date Administered:	Administered By:	Date Read:	Results in mm:

SYMPTOMS: (To be asked if PPD is read as >5mm including those with positive history of skin test who have not been treated)

- ☐ Chronic cough (hangs on a long time) usually associated with sputum production
 ☐ Spitting up Blood
 ☐ Fever/Chills
☐ Unexplained weight loss
 ☐ Fatigue (feeling tired all the time)
 ☐ Night sweats
 ☐ Weakness
☐ Anorexia - Loss of Appetite

Chest X-Rays

Date:	Results: <input type="checkbox"/> Normal <input type="checkbox"/> Abnormal
-------	--

X-Ray Findings:

Sputums

First:	Date Obtained:	Smear Results:	Culture Results:
Second:	Date Obtained:	Smear Results:	Culture Results:
Third:	Date Obtained:	Smear Results:	Culture Results:

Liver Profile Date Drawn: _____ HIV Drawn: _____

Treatment Started: (MM/DD/YR)		Medication and Duration:		
INH:	RIF:	EMB:	PZA:	Other
<input type="checkbox"/> Old Positive <input type="checkbox"/> New Positive <input type="checkbox"/> Convertor <input type="checkbox"/> Contact <input type="checkbox"/> Entran				
Forms Completed by:		Date Infect Disease Coordinator Notified &		

Tuberculosis Medical History

Inmate Name: <u>Roberts</u>		Number: <u>W055276</u>	
Institution: <u>ORW</u>	Race:	Sex: <u>F</u>	DOB:

☐ Positive TB Test
 ☐ Positive HIV
 ☐ Immunosuppressant Therapy

If history of positive TB test but no documentation to confirm found, mark X by positive TB test (Even if history is questionable). Last PPT results, if for positive PPD, are mm documented? Has inmate received follow up? CXR/AFB results? Past treatment dates documented?

Skin Test

Date Administered: <u>Lot 25474P</u> <u>9-21-04 exp 4/06</u>	Administered By: <u>JMR/Ther</u>	Date Read: <u>9-23-04</u>	Results in mm: <u>0mm</u>
Date Administered:	Administered By:	Date Read:	Results in mm:
Date Administered:	Administered By:	Date Read:	Results in mm:

SYMPTOMS: (To be asked if PPD is read as >5mm including those with positive history of skin test who have not been treated)

- ☐ Chronic cough (hangs on a long time) usually associated with sputum production
 ☐ Spitting up Blood
 ☐ Fever/Chills
☐ Unexplained weight loss
 ☐ Fatigue (feeling tired all the time)
 ☐ Night sweats
 ☐ Weakness
☐ Anorexia - Loss of Appetite

Chest X-Rays

Date:	Results: <input type="checkbox"/> Normal <input type="checkbox"/> Abnormal
-------	--

X-Ray Findings:

Sputums

First:	Date Obtained:	Smear Results:	Culture Results:
Second:	Date Obtained:	Smear Results:	Culture Results:
Third:	Date Obtained:	Smear Results:	Culture Results:

Liver Profile Date Drawn: _____ HIV Drawn: _____

Treatment Started: (MM/DD/YR)		Medication and Duration:		
INH:	RIF:	EMB	PZA:	Other:
<input type="checkbox"/> Old Positive <input type="checkbox"/> New Positive <input type="checkbox"/> Converter <input type="checkbox"/> Contact <input type="checkbox"/> Entrance <input type="checkbox"/> Routine				
Forms Completed by:			Date Infect. Disease Coordinator Notified & By Whom:	

DRC 5187 (Rev 04/04)



Ohio Department of Rehabilitation and Corrections Immunization Record

☐ PPD Positive prior to entering Prison System

When: _____ Where: _____

PPD (Tuberculin)

Date Given	Site	Lot. No.	Exp. Date	Nurse	Date Read	Results in mm	Nurse
6/26/03	LFA	00213P	04/04	N. SMITH RN	6/26/03	6mm	C. Dunbar RN

Immunization

Medication	Date Given	Site	Lot No./Exp. Date	Nurse
Tetanus Toxoid/Diphth.				
Influenza (annual)	11/8/03	L arm	41145 HA 630-04	
Pneumovax (every 7 years)				
Hep. A				
Hep. B 1 st dose				
Hep. B 2 nd dose				
Hep. B 3 rd dose				
OTHER:				

NAME ROBERTS, DONNA M	NUMBER WO 55276	SEX Female	RACE W
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Initial Medical/Mental Health/Substance Use Screening

Provide information in the *Comment* section for all questions answered *yes*.

All information is based upon self report of inmate.

Date of Interview: 6/15/03	Signature/Title of Interviewer: [Signature]	
Time of Interview: 6:30	Institution: O.R.W.	Printed Name/Title of Interviewer: Smith, A.N.
Date of Arrival at Institution: 6/26/03	Time of Arrival at Institution: 1:34	Received from: TRUMBULL
Inmate Name: ROBERTS, DONNA		Inmate Number: 55276

1	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	History of outpatient mental health treatment
2	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	History of inpatient treatment
3	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	History of head injury
4	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	History of violent behavior
5	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	History of suicide attempts**
6	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Current suicidal thoughts**
7	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Current suicide plan**
8	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Ability to carry out current suicide plan**
9	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Unusual behavior/affect**
10	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Current psychotropic medications (see current medication on medical form)
11	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Hallucinations**
12	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Was this inmate on caseload at sending institution. If discharged, give date:

Yes responded to items with ** should be referred for either immediate attention or evaluation as dictated by the individual circumstances.

Comments: [Handwritten notes]

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Mental health orientation information given to inmate
MENTAL HEALTH DISPOSITION (Check one or more)		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Crisis/Safe cell assignment requested
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Special housing assignment requested
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Routine housing requested
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Emergency mental health referral

MEDICAL DISPOSITION

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Special Needs Unit	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Emergency Transport
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Infirmity Admission	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Routine Housing
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Physical Referral			

SUBSTANCE USE SCREENING

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	History of alcohol and drug problem.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Previous alcohol and drug treatment.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	History of alcohol and drug problem when ceasing use.

			Date of Last Use	Method	Frequency
Alcohol	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			
Amphetamines	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Cannabis	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Cocaine	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Hallucinogens	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Inhalants	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Nicotine	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Opiates	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Phencyclidine	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Sedatives	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			

Frequency of Use Codes:

- 1 = Less than 12 times yearly
- 2 = Once per month
- 3 = Twice per month
- 4 = Once per week
- 5 = 2 times per week
- 6 = More than 3 times per week
- 7 = Daily
- 8 = Binge

Method of Administration Coding:

- 1 = Oral
- 2 = Intravenous
- 3 = Subcutaneous
- 4 = Inhalation
- 5 = Intranasal
- 6 = Smoking
- 7 = Freebase
- 8 = Other

Health History

Page 1

Reporter: ☒ Self
☐ Interpreter
☐ Translator

Name of Interpreter or Translator, if applicable (printed)

Title

Marital Status: <u>WIDOW</u>	Maiden Name: <u>ROBERTS</u>
Date of Birth: <u>05/22/44</u>	Age: <u>59</u>
Religion: <u>JEWISH</u>	Race: <u>W</u>

Family History: (f) father, (m) mother, (s) sister, (b) brother, (g) grandparent, (n/a) not applicable

	f	m	s	b	g	n/a		f	m	s	b	g	n/a		f	m	s	b	g	n/a
Anemia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Epilepsy/Seizures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mental Illness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Asthma	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Heart disease	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sickle Cell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cancer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hepatitis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	T.B.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diabetes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hypertension	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other: <u>0</u>						

Next of Kin: <u>Wife DAC 5328</u>	Relationship:	Address:
Telephone (including area code):		Insurance by Health Insurance: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Name of Insurer:

GLASSES

Yuka
ContactNONE
(R) REF

Temp: <u>98.8</u>	Pulse: <u>83</u>	Resp: <u>16</u>	B/P: <u>150/90</u>	Height: <u>4' 10"</u>	Weight: <u>166</u> lbs.
Allergies: <u>0853 120/80</u>					
Right without eyeglasses:		With eyeglasses:		Left without eyeglasses:	

Vision Screening:

Hearing Impairment: Right Ear ☒ Yes ☒ No ROBES Left Ear ☐ Yes ☒ No
 Cursory Dental Screening: ☐ Good ☒ Fair ☐ Poor

Personal History (place check in appropriate block at left of each item):

Yes	No	Yes	No	Yes	No	Yes	No
1 <input type="checkbox"/>	<input checked="" type="checkbox"/> Acute skin diseases	11 <input type="checkbox"/>	<input checked="" type="checkbox"/> Diabetes	20 <input type="checkbox"/>	<input checked="" type="checkbox"/> Hernia <u>ascender</u>	30 <input type="checkbox"/>	<input checked="" type="checkbox"/> Stab Wound
2 <input type="checkbox"/>	<input checked="" type="checkbox"/> Amputations	12 <input checked="" type="checkbox"/>	<input type="checkbox"/> Ear, nose or throat trouble	21 <input checked="" type="checkbox"/>	<input type="checkbox"/> High or low blood pressure	31 <input checked="" type="checkbox"/>	<input type="checkbox"/> Stomach, liver or intestinal trouble
3 <input type="checkbox"/>	<input checked="" type="checkbox"/> Anemia <u>undx</u>	13 <input type="checkbox"/>	<input checked="" type="checkbox"/> Epilepsy	22 <input type="checkbox"/>	<input checked="" type="checkbox"/> I.V. drug user	32 <input type="checkbox"/>	<input checked="" type="checkbox"/> Thyroid problems
4 <input type="checkbox"/>	<input checked="" type="checkbox"/> Arthritis	14 <input checked="" type="checkbox"/>	<input type="checkbox"/> Eye disorder	23 <input type="checkbox"/>	<input type="checkbox"/> Measles?	33 <input type="checkbox"/>	<input checked="" type="checkbox"/> Tuberculosis positive PPD
5 <input type="checkbox"/>	<input checked="" type="checkbox"/> Asthma	15 <input type="checkbox"/>	<input checked="" type="checkbox"/> Gun Shot Wound	24 <input checked="" type="checkbox"/>	<input type="checkbox"/> Mumps	34 <input checked="" type="checkbox"/>	<input type="checkbox"/> Tumor growth, cyst <u>OVARY 1962</u>
6 <input type="checkbox"/>	<input checked="" type="checkbox"/> Blood transfusion	16 <input type="checkbox"/>	<input checked="" type="checkbox"/> Heart problems	25 <input type="checkbox"/>	<input checked="" type="checkbox"/> Paralysis	35 <input type="checkbox"/>	<input checked="" type="checkbox"/> Urinary problems
7 <input checked="" type="checkbox"/>	<input type="checkbox"/> Bone, joint or other deformity	17 <input type="checkbox"/>	<input checked="" type="checkbox"/> Hemophiliac or bleeding disorder	26 <input type="checkbox"/>	<input checked="" type="checkbox"/> Rheumatic fever		
8 <input type="checkbox"/>	<input checked="" type="checkbox"/> Cancer	18 <input checked="" type="checkbox"/>	<input type="checkbox"/> Hemorrhoids	27 <input type="checkbox"/>	<input checked="" type="checkbox"/> S.T.D.		
9 <input type="checkbox"/>	<input type="checkbox"/> Chicken pox?	19 <input type="checkbox"/>	<input checked="" type="checkbox"/> Hepatitis	28 <input type="checkbox"/>	<input checked="" type="checkbox"/> Shortness of breath		
10 <input type="checkbox"/>	<input checked="" type="checkbox"/> Chronic cough			29 <input type="checkbox"/>	<input checked="" type="checkbox"/> Sinusitis		

Hospitalizations / Medical & Psychiatric / Past Five years or Major Hospitalizations (When, Where, Why):

4/99 Rib Fr Staph 2/00-4 1962 SALPING

BILAT "4025 Ribs" T&A 1947

Current Health Problems: 4 dysf. ("depression & anxiety")

Current Medications: Wellbutrin SR, Benadryl, Depakote, Nazadone, Buspirone, Premarin 1mg/0.5mg, ASA, TyL, Zantac ☒ Verified ☐ Not Verified

Signature/Title of Interviewer:

H. Smith

Date:

26 June 2003

Inmate Name (Last, First, Middle Initial):

ROBERTS, DONNA

Inmate Number:

55276

Institution:

DRC5031 (REV 11/99)

ACA 4343 through 4346, 4376

MEDICAL



State of Ohio
Department of Rehabilitation and Correction
Physical Examination

Page 2

☐ Recep. Intake
☐ Other

Check Item if Abnormal:

- | | | |
|--|---------------------------------------|---|
| 1 <input checked="" type="checkbox"/> skin | 10 <input type="checkbox"/> mouth | 19 <input type="checkbox"/> musculoskeletal |
| 2 <input type="checkbox"/> gait | 11 <input type="checkbox"/> neck | 20 <input type="checkbox"/> extremities |
| 3 <input type="checkbox"/> speech | 12 <input type="checkbox"/> chest | 21 <input type="checkbox"/> neurological |
| 4 <input type="checkbox"/> scalp | 13 <input type="checkbox"/> breasts | 22 <input type="checkbox"/> lymph nodes |
| 5 <input type="checkbox"/> eyes | 14 <input type="checkbox"/> lungs | 23 <input type="checkbox"/> rectum |
| 6 <input type="checkbox"/> fundi | 15 <input type="checkbox"/> heart | 24 <input type="checkbox"/> pelvis |
| 7 <input type="checkbox"/> nose | 16 <input type="checkbox"/> abdomen | 25 <input type="checkbox"/> |
| 8 <input type="checkbox"/> ears | 17 <input type="checkbox"/> genitalia | 26 <input type="checkbox"/> |
| 9 <input type="checkbox"/> throat | 18 <input type="checkbox"/> spine | 27 <input type="checkbox"/> |

Abnormal Findings (refer to above numbers):

(Dawson Cyt -
salpary: 1962

Heart NSR, RPE

Lungs CTA bilat

Abd soft & tender & masses

Ext intact

Ears TMs intact

skin - numerous
baked, cracked
open sores
on cheeks
to groin
leg

Major Health Problems:

Hypertension
↑ Triglycerides

Functional Needs: (check all that apply)

- ☐ W (Wheelchair user) ☐ M (Mobility impaired)
☐ S (Speech impaired) ☐ V (Vision impaired)
☐ H (Hard of hearing/Deaf) ☐ O (Other)

Comments regarding accommodations: _____

Summary of Institutional Medical Status:
(check one only)

Class	1	<input type="checkbox"/>
	2	<input checked="" type="checkbox"/>
	3	<input type="checkbox"/>
	4	<input type="checkbox"/>

Physician's signature: <i>[Signature]</i>	Date: <i>1/11/16</i>
Inmate Name (last, first, middle initial): <i>ROBERTS, DONNA</i>	Number: <i>W055076</i> Race: <i>W</i>



State of Ohio

Department of Rehabilitation and Correction

Page 1 A

FEMALE HEALTH HISTORY

(Additional Information)

Reception Center:	Interviewer: <u>R. Smith RN</u>
Date received: <u>6/26/03</u>	Date of Examination: <u>26 June 2003</u>
SS No: <u>293-38-1661</u>	

FEMALE (additional information)

Have you had a painful menstruation? _____

Had irregular menstruation? _____

Age at onset of menstruation? _____ Interval between periods? _____

Duration? _____ Date of last period? _____

Quality? ☐ Normal ☐ Excessive ☐ Scanty ☐ Other: _____Treated for a female disorder? ④ ovarian cyst → Salping 1962Have you been pregnant? YES Had a vaginal discharge? ⊕Number of past pregnancies? 2 Problems, if any? ⊕Deliveries? Normal 1 Premature ⊕ Abortions 1 Miscarriages ⊕Are you or have you been recently on any type of birth control? HRT x 4Are you currently pregnant? No Expected date of delivery? N/A

Comments: _____

Have you had any problems with your breasts recently? NoHave you had a mammogram in the last eleven months? No Last 2001 - "OK"

Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	AIDS handout given?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Self breast exam pamphlet given?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Medical Services handout given?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Verbal explanation of Nurse Clinic given?
		<u>Hep A/B/C</u>

Name (last, first, middle initial): <u>ROBERTS, DONNA</u>	Serial Number: <u>55276</u>	Race: <u>W</u>
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ORC 5032 (Rev 2/00)

MEDICAL

ACA 4343, 4344, 4345, 4346, 4376

X. Criminal Justice History (current conviction and sentence, prior arrests and convictions)

This is the 1st Prison Sentence for the inmate
she is serving death sentence for aggravated
murder. Inmate husband was killed in by
young black man whom inmate had an affair
she was accused of murdering the
murder.

XI. Institutional Adjustment

She is currently in Army

XII. Mental Status Examination

A. Appearance & Behavior

pt is alert & oriented x3, currently dressed,
appeared younger than her stated age
H gives inconsistent hx at times

B. Mood & Affect	Mood mostly anxious affect normal
C. Speech & Language	speech RRR language normal
D. Thought Process	is organized - goal directed
E. Thought Content & Perceptions	normal
F. Cognitive Assessment	intact
G. Suicide/Violence Risk Assessment	
<ul style="list-style-type: none">• Past Suicidal Ideation/Attempts (date & method)•	no suicidal attempt Had suicidal thought ~ 2000

Axis II:	defunct
1.	
2.	
3.	
Axis III:	HWA baseline disorder
1.	
2.	
3.	
Axis IV:	inconsistent
1.	
Axis V:	70/80
1. GAF=	
XV. Treatment Recommendations (including medications, labs ordered)	
1..	
(1) ↑ Wellbutrin SR 200mg P.B. 1x & ↓ anger	
(2) ↑ Depo-Provera 750mg P.B. 1x (3) Cont. bupropion	
150mg P.B. 1x & fluoxetine 50mg P.B. 1x (4)	
Risperidone 2mg (5) Risperidone 2 mg	

Disposition (check one):

<input type="checkbox"/> General Out-Patient Caseload	<input type="checkbox"/> Probate
<input type="checkbox"/> Psychiatric Out-Patient Caseload	<input type="checkbox"/> Sex Offender Caseload
<input type="checkbox"/> Residential Treatment Unit	<input type="checkbox"/> No Further Services Required
<input type="checkbox"/> Crisis Bed	<input type="checkbox"/> Other:
<input type="checkbox"/> Next Appointment:	

Name, Title and Signature of Evaluator:	Psychiatric Consultant
	Signature <i>R. V. Smith</i>

wc

trans: 11-24-98

c: Medical Dept.

MENTAL HEALTH EVALUATION

Donna Roberts

Inmate Name _____ Number SS 276 Date 7/1/22

Referral Source:

<input type="checkbox"/> Self <input type="checkbox"/> Segregation <input type="checkbox"/> Housing Unit <input type="checkbox"/> Parole Board <input type="checkbox"/> Administration	<input type="checkbox"/> Medical <input type="checkbox"/> MH Initial Screening <input checked="" type="checkbox"/> MH Detailed Screening <input type="checkbox"/> Religious Services <input type="checkbox"/> Rules Infraction Board	<input type="checkbox"/> Recovery Services <input type="checkbox"/> Education <input type="checkbox"/> Job Assignment <input type="checkbox"/> Other:
--	--	--

Inmate Housing at Time of Referral: (check one)

<input type="checkbox"/> General Population <input type="checkbox"/> Segregation	<input type="checkbox"/> Infirmary (not crisis bed) <input checked="" type="checkbox"/> Other: <u>Arms</u>	<input type="checkbox"/> Crisis Bed
---	---	-------------------------------------

I. Reason for Referral: (Presenting Problem)

*Inmate is currently on Trazodone, well but in
 began depression was referred for the
 continuation of mental health services.
 Inmate is seen in Arms along with Nurse Volkoff.*

II. History of Present Illness

*Inmate is a 59 yr widowed white woman whose pre-
 y diagnosis consisted of MDD & anxiety vs BPD
 She is currently on the above medication.
 Tolerating the medication well & side effect-
 Feels jittery from the medication*

History of Present Illness continued

Feels angry than depressed at this point
 she feels sorry for her co-defendant who is
 facing death penalty. She thinks that her trial
 was unfair & that death sentence is not what
 denied any problem to sleep, appetite, concentration
 denied any suicidal thought.

Has done at least 1000 all her life.
 Her depression comes & goes. She was severely depressed
 in 2002 & was admitted for inpatient treatment.
 She even had suicidal thought at that time.
 She admitted to periods where she feels
 euphoric & of energy level, & need for sleep
 & risk taking behavior. She has admitted to
 spending others. Admitted to having unprotected sex
 & on young men who feel mutually high.

denied any current or past psychotic
 symptoms

VI. Personal History

Born and raised in young town Ohio. Does not remember much about her childhood. Raised by both parents. Has 3 brothers & one sibling. Father was abusive to mother. Abused to being sexually abused by brother but only remembers bits & pieces of the abuse. Went to high school. Graduated from high school. Had 3 years of college education. Was a Dean's list.

VII. Social History

Grandmother was living in Howard Ohio with her 50 year old husband before coming into the prison. Has been married to him for 20 years. Has 24 year old son. Has been married since. Her 1st marriage lasted 6 years.

VIII. Occupational History

worked for a plastic surgeon & 2 years
owned restaurant, 2 years
owned a gay home business.

IX. Family History

Mother has depression & is not very close to

Mental Health Caseload Classification

Inmate Name: <u>Donna Roberts</u>	Number: <u>55126</u>	Institution: <u>ORV</u>	Date: <u>7/2/22</u>
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☒ Initial☐ Annual Review☐ Update

C1 Categorical (SMI)	<input type="checkbox"/> 290.XX Dementia	<input type="checkbox"/> 295.XX Schizophrenia	<input type="checkbox"/> 295.40 Schizophreniform D/O
	<input type="checkbox"/> 295.70 Schizoaffective	<input type="checkbox"/> 296.2X MDD Single, Severe	<input type="checkbox"/> 296.3X MDD, Recurrent
	<input checked="" type="checkbox"/> 296.XX Bipolar D/O	<input type="checkbox"/> 297.1 Delusional D/O	<input type="checkbox"/> 298.X Brief Psychotic or NOS

C1 Functional (SMI)	<input type="checkbox"/> 296.XX Mood Disorders	<input type="checkbox"/> 300.XX Panic D/O
	<input type="checkbox"/> 300.00 Anxiety D/O NOS	<input type="checkbox"/> 300.02 GAD
	<input type="checkbox"/> 300.3 OCD	<input type="checkbox"/> 300.4 Dysthymic D/O
	<input type="checkbox"/> 309.81 PTSD	<input type="checkbox"/> 301.83 Borderline P.D.
	<input type="checkbox"/> Other _____ Include DSM-IV code	

PLUS
(One of the following within the past 2 years)

- ☐ 2 Prior Psychiatric Hospitalizations
- ☐ 1 OCF Hospitalization > 45 Days
- ☐ RTU > 60 Days

C2	<input type="checkbox"/> 291.X ETOH	<input type="checkbox"/> 292.X Substance Related D/O	<input type="checkbox"/> 293.X Psychosis or Mood D/O 2° Medical
	<input type="checkbox"/> 294.X Memory or Cognitive D/O 2° Medical or NOS	<input checked="" type="checkbox"/> 296.X Mood Disorders <u>Schizophrenia</u>	<input type="checkbox"/> 300.XX Panic D/O
	<input type="checkbox"/> 300.00 Anxiety D/O NOS	<input type="checkbox"/> 300.02 GAD	<input type="checkbox"/> 300.3 OCD
	<input type="checkbox"/> 300.4 Dysthymic D/O	<input type="checkbox"/> 302.X Paraphilia on Meds	<input type="checkbox"/> 309.XX Adj. D/O on Meds
	<input type="checkbox"/> 309.81 PTSD	<input type="checkbox"/> 311 Depressive D/O NOS	<input type="checkbox"/> 301.83 Borderline PD
	<input type="checkbox"/> Other _____ Include DSM-IV code		

C3	<input type="checkbox"/> 300.XX Panic D/O	<input type="checkbox"/> 300.00 Anxiety D/O NOS	<input type="checkbox"/> 300.02 GAD
	<input type="checkbox"/> 300.3 OCD	<input type="checkbox"/> 300.4 Dysthymic D/O	<input type="checkbox"/> 301.XX Personality D/O
	<input type="checkbox"/> 302.X Paraphilia	<input type="checkbox"/> 307.8X Pain D/O with Psychological/Medical	<input type="checkbox"/> 308.X Acute Stress D/O
	<input type="checkbox"/> 309.XX Adjustment D/O	<input type="checkbox"/> 309.81 PTSD	<input type="checkbox"/> 311 Depressive D/O NOS
	<input type="checkbox"/> 312 Impulsive Control D/O	<input type="checkbox"/> Other _____ Include DSM-IV code	

N

☐ No Mental Health Services Needed

MR/DD

☐ Mental Retardation _____
Include DSM-IV code

☐ Developmental Disability _____
Include DSM-IV code

Printed Name of Licensed Person Completing Review:

Signature:



Mental Health Services MEDICATION CONSENT FORM

Inmate Name:

Donna Roberts

Inmate Number:

55476

I agree to treatment with the following medications in the dosage recommended to me by the psychiatrist:

1. Depakote 250 mg/ day up to 2,000 mg/ day

2.

3.

I have been made aware that the following are benefits which may occur through taking these medications:

1. Mood Stabilizer

I have been made aware that possible side effects of taking these medications may be:

1. I should not get pregnant when on Depakote; Liver failure, drowsiness, dizziness, hair loss, tremors, and ataxia. Advise physicians you take this medication- could harm fetus, requires frequent blood draws.

I voluntarily agree to take the medication(s) listed above as prescribed by the psychiatrist. I understand that this permission may be revoked at my discretion. I have had an opportunity to ask any questions I wished to ask.

I have been made aware of alternative treatments.

Physician's Signature

RV Smith

Inmate Signature:

verbally consented

Date:

7/2/22

Witness Signature:

MICHAEL SMITH

I have been advised to take the medications listed above but I am unwilling to take the medication as recommended. The possible consequences of not taking the medication have been explained to me.

Specifically:

OSU Hospital Reports

Page 1 of 2

OSU Electronic File Report- Radiology

Reproduced from electronic file dated 9/12/2005

MRI Brain W/O Contrast-H -CODE MB

Test date: 9/12/2005 Report ID# 15764504 Message # 16826481

Report Status: Final

Inmate Name: ROBERTS, DONNA

DOB: 05/22/1944

Inmate Number: W055276

Sex: F

Marital Status:

OSU #: 907738907

Institution: ORW

Ordering Physician: Akusoba, Martin O

Results Interpreter: Not Provided

Assistant Interpreter: Not Provided

Transcriptionist: Not Provided

MRI OF THE BRAIN WITHOUT CONTRAST 09/12/2005:

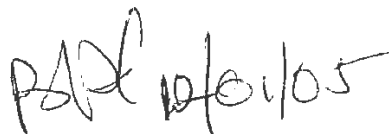
CLINICAL INFORMATION: Memory loss, chronic dizziness. Gait disturbance.

TECHNIQUE: Sagittal T1-weighted and axial FLAIR, T2 fast spin-echo, and diffusion-weighted images were obtained.

FINDINGS: There is some minimal punctate mucosal thickening involving the right mastoid air cells. There is a tiny retention cyst, polyp, or localized mucosal thickening in the inferior left frontal sinus that measures approximately 6 x 6 mm. The intraorbital contents are unremarkable in appearance. Intracranially, there is generalized enlargement of the ventricles and cerebral sulci consistent with age appropriate brain atrophy. There is some minimal scattered punctate areas of increased signal intensity in the cerebral hemisphere white matter bilaterally that are without mass effect or any diffusion abnormality.

IMPRESSION:

1. A few punctate white matter signal abnormalities which are non-specific in nature which are most likely due to small vessel ischemic disease or age related changes. 2. Minimal punctate mucosal thickening within the right mastoid air cells and a small left frontal sinus retention cyst, polyp, or localized mucosal thickening. Electronically Signed By: H. Wayne Slone M.D. (Radiologist)
09/12/2005 2033



This is a representation of the most recent OSU electronic file received. The original OSU report is contained in the inmate's medical record.

Inmate Name: ROBERTS, DONNA -- Inmate Number: W055276

ADJUNCT M TO MENTAL HEALTH EVALUATION

Dictation Date: 6/13/26	Institution: ORW	
Inmate Name: Robert	Inmate #: 55276	DOB: 5/22/47

Diagnostic Evaluation	
Annual evaluation:	X
Transfer evaluation:	

Inmate Housing at Time of Review: (check one)

<input type="checkbox"/> General Population	<input type="checkbox"/> Infirmary (not crisis bed)	<input type="checkbox"/> Crisis Bed
<input type="checkbox"/> Segregation	<input type="checkbox"/> RTU	<input checked="" type="checkbox"/> Other

Collateral Information Available X Yes _____ No
 Collateral Information Requested from treatment team X Yes _____ No

Review of MHE and update changes and additions since last review of _____

(If no new information, check "none" box next to the individual item. Boxes with "XX" require a text response in table.)

	none	TEXT RESPONSE UPDATE
I.	XX	Presenting Problem (why is offender receiving treatment) Inmate is currently on wellbutrin SR 200mg BIDs Depress 750mg BIDs - current & past BPAs
II.	XX	History of Present Illness (in the last 6 months) Inmate is a 62-year-old widowed white woman who is on death sentence for an aggravated murder. Polywell on her current medications. Does not feel depressed Her current problems - sleep, appetite, can't enjoy food. Has difficulty falling & staying asleep
III.		Psychiatric History: Received one inpatient w/pt in 2000 for 2 weeks Had depression since age 6. Has been on current medication since 2000
IV.		Medical History: (include current medications and updates) Diabetes. Has HTN & distal nerve pain - heart burn.

ADDITIONAL INFORMATION TO MENTAL HEALTH EVALUATION

Inmate Name.	Inmate #.
	SS 276

V.		Alcohol & Substance Use History: (include institutional history) used pot on and off on the street. Did not use drugs while incarcerated
VI.		Personal History Sexually abused by 2 Grooms Had 3 years of college education
VII.		Social History Married 3 times. Has one son
VIII.		Occupational History (institutional work history) Not working. She is currently on death row
IX.		Family History Mother has depression intermittently ill
X.		Criminal Justice History (EDS date and Parole Board Hearing) on death row
XI.	XX	Institutional Adjustment (Tickets / Segregation Time etc.) currently on SEC
XII.		Psychological Testing (Results (screening results must be noted) GAMA _____ BETA _____, Pending Psychological consult _____
		ITEMS XIII. THROUGH XV. MUST BE COMPLETED IN TEXT FORMAT
XIII.	XX	Current Mental Status Examination
	XX	A. Appearance & Behavior Ptn alert & oriented, currently denied, cooperative & open to the interview
	XX	B. Mood & Affect → neutral Euthymic
	XX	C. Speech & Language RRR
	XX	D. Thought Process coherent & goal directed
	XX	E. Thought Content & Perceptions delusions of AN hallucinations
	XX	F. Cognitive Assessment intact

WARRANT TO CONVEY

TO THE TRUMBULL COUNTY JAIL
REVISED CODE, SEC. 2949.12 TO 2949.17

COURT OF COMMON PLEAS, TRUMBULL COUNTY, WARREN, OHIO

2001 CR 00793

STATE OF OHIO

VS.

DONNA MARIE ROBERTS

TO THE SHERIFF OF SAID COUNTY:

WHEREAS, OUR SAID COURT, BEGUN AND HELD AT WARREN, OHIO IN SAID COUNTY ON August 21, 2007, THE SAID DEFENDANT **DONNA MARIE ROBERTS**:

Agg. Murder

AND WAS SENTENCED BY THE COURT TO:

OHIO REFORMATORY FOR WOMEN at MARYSVILLE, OHIO

YOU ARE THEREFORE HEREBY COMMANDED, TO TAKE CHARGE OF AND CONVEY THE SAID **DONNA MARIE ROBERTS** TO TRUMBULL COUNTY JAIL AT WARREN, OHIO.

AND MAKE DUE RETURN OF YOUR PROCEEDING HEREIN TO THIS OFFICE FORTHWITH.

IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SET MY HAND AND
AFFIXED THE SEAL OF SAID COURT AT
TRUMBULL COUNTY, WARREN, OHIO
August 21, 2007

KAREN INFANTE ALLEN,
Clerk of Courts

By: NANCY WINGARD, Deputy Clerk

2001 CR 00793

RETURN

TRUMBULL COUNTY
COMMON PLEAS COURT
Trumbull County, Warren, Ohio

STATE OF OHIO

VS.

DONNA MARIE ROBERTS

WARRANT TO CONVEYRETURNED AND FILED

_____, 20____

KAREN INFANTE ALLEN,
Clerk of Courts

By: _____
DEPUTY CLERK

KAREN INFANTE ALLEN
CLERK OF COURTS
TRUMBULL COUNTY
2007 SEP 19 PM 4:10
TRUMBULL COUNTY
CLERK OF COURTS

RECEIVED THIS WRIT ON THE 28 DAY
OF Aug, 2007, AT 1046
O'CLOCK 4 A.M., AND ON THE 19
DAY OF Sept., 2007,
I EXECUTED THE SAME BY CONVEYING
THE PERSON NAMED TO THE PLACE
DESIGNATED AS SHOWN BY THE
RECEIPT ENDORSED HEREON.

Thomas Altiero
SHERIFF

By: William H. Stanley
DEPUTY

FEES

Mileage:	\$ <u>230.50</u>
Service:	\$ <u>10.00</u>
Other:	\$
_____	\$
TOTAL:	\$ <u>230.50</u>

_____, OHIO

9-19, 2007

RECEIVED THIS DAY FROM _____
SHERIFF OF _____
COUNTY, OHIO, THE PRISONER NAMED
IN THE WITHIN WARRANT.

M. Bradshaw, Jr.
Superintendent

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff, :
-vs- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : MOTION TO PROFFER
Defendant. : EVIDENCE
(Second Proffer)


2007 SEP 20 PM 2:09
CLERK OF COURT
TRUMBULL COUNTY, OHIO

Now comes the defendant, Donna Roberts, by and through undersigned counsel, and respectfully proffers the following evidence for the purposes of establishing the record on the mitigation that would have been presented if permitted by this court.

Respectfully Submitted,



DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland OH 44103
(216) 361-1112

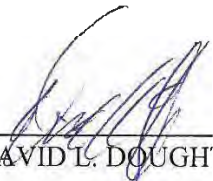


ROBERT A. DIXON (0022466)
4403 St. Clair Ave.
Cleveland, Ohio 44103
(216) 432-1992

Counsel for Defendant Donna Roberts

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 20th day of September, 2007.



DAVID L. DOUGHTEN
Attorney for Defendant



AFFIDAVIT OF JAMES R. EISENBERG, PH.D.

IN THE STATE OF OHIO

COUNTY OF LAKE, SS:

I, James R. Eisenberg, being first duly sworn according to law, state the following:

- 1) I am a psychologist, licensed to practice in Ohio since 1978.
- 2) I am a Diplomate of the American Board of Professional Psychology with Board Certification in Forensic Psychology. I am Professor of Psychology at Lake Erie College and Director of their Criminal Justice Program. I have a private practice in forensic and clinical psychology.
- 3) For nineteen years I served as the Court Psychologist and Associate Director for the Lake County Forensic Psychiatric Clinic evaluating adult criminal defendants for the Lake County Court of Common Pleas.
- 4) In the course of my employment with the Forensic Psychiatric Clinic and my practice as a Forensic Psychologist, I have evaluated more than five thousand criminal defendants including approximately 200 capital charged defendants.
- 5) I have testified for the prosecution, defense and for the court. I am very familiar with the type of preparation required for capital cases, especially mitigation of the death penalty.
- 6) My book: *Law, Psychology, and Death Penalty Litigation* was published in 2004 by Professional Resource Press.
- 7) I am recognized nationally and internationally on my expertise in the role of the psychologist in death penalty litigation and have presented workshops to the American Academy of Forensic Psychology on this topic every year for the past twelve years. I have presented numerous talks on the same subject to attorneys training to be qualified to represent capital defendants. The following are examples of recent presentations:

"The Role of the Forensic Psychologist in Death Penalty Litigation."
Contemporary issues in Forensic Psychology - Workshop Series.
Baltimore (1994), Atlanta (1995), Seattle (1996) , San Francisco (1997),
Santa Fe (1998), Las Vegas, (1999) Chicago (1999), San Antonio (2001),

Kansas City (2002), Indianapolis (2006), Albuquerque (2007) and San Antonio (scheduled for 2008).

Invited address and consultant. National Congress of Honduras and the Universidad Jose Cecilio del Valle. *Crime and the Antisocial Personality*. May 9 to May 16th, 2005. Tegucigalpa, Honduras.

U.S. Speaker and Specialist grant, Human Rights Project, Tegucigalpa, Honduras, August 1-7, 1999. United States Information Agency's Bureau of Information. Presentation to the Honduran Congress, University Law Professors, members of the Honduran Bar Association, Journalists and students. Topic: "The Death Penalty in the United States."

"Dismantling the Anti-social Personality Disorder." Indiana Public Defender Defense Council: Defending Death Penalty Cases. Indianapolis, Indiana, September 11 and 12, 1996.

- 8) I was a participant and member of the American Bar Association's Individual Rights Task Force on Mental Illness and the Death Penalty. Our recommendations were adopted by the ABA in August of 2006.

- 9) I have also received the following honors:

Elected to the Board of Directors of the American Board of Forensic Psychology for a six year term beginning in January of 2006.

The 2004 NOCHE Award for Teaching Excellence. Northeast Ohio Council of Higher Education.

Excellence in Teaching Award. Lake Erie College, 2003-2004 academic year.

- 10) For a proper affidavit I would normally interview and evaluate the defendant and review any available records. The cost would normally be \$250 per hour. For a defendant in Marysville, Ohio, the cost for the evaluation, not including a report and testimony, would be approximately \$2500 given the distance and time involved.
- 11) It is my understanding that the Court was not willing to provide funding for a psychological evaluation in support of this affidavit.
- 12) Therefore I was only able to review records and offer the following preliminary opinion based on those records:

A review of the available records clearly indicates that Ms. Roberts suffers from Bipolar Type II Disorder, as well as a number of other physical conditions including borderline diabetes, sustained head injuries, pelvic and spine pain, and hypertension. The bipolar condition most likely began in childhood and is particularly relevant given her current legal status.

The Bipolar Disorder, also known as manic-depressive illness, is a brain disorder that causes unusual shifts in a person's mood, energy, and ability to function. Different from the normal ups and downs that everyone goes through, the symptoms of bipolar disorder are severe and affect approximately one percent of the population. Some of the symptoms include: increased energy, activity, and restlessness; excessively "high," overly good, euphoric mood; extreme irritability; racing thoughts and talking very fast, jumping from one idea to another; and distractibility and difficulty concentrating. The essential feature of a Bipolar II Disorder is a clinical course that is characterized by the occurrence of one or more Major Depressive Episodes accompanied by at least one Hypomanic Episode.

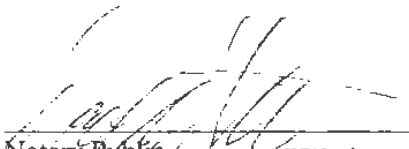
Additional symptoms include: unrealistic beliefs in one's abilities and powers; poor judgment; abuse of drugs; provocative, intrusive, or aggressive behavior; and denial that anything is wrong. These symptoms would be accompanied by marked mood swings with periods of intense depression, irritability, and/or anxiety lasting a few hours to a few days; inappropriate, intense, or uncontrolled anger; impulsiveness in spending, sex, substance use; recurring suicidal threats or self-injurious behavior; unstable, intense personal relationships with extreme, black and white views of people and experiences; and marked, persistent uncertainty about self-image, long term goals, friendships, values; frantic efforts to avoid abandonment, either real or imagined.

The above factors would be the foundation for a mitigation sentencing evaluation consistent with sentencing guidelines.

FURTHER AFFIANT SAYETH NAUGHT.

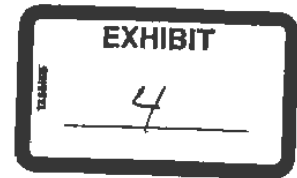

James R. Eisenberg, Ph.D.

Sworn to and subscribed before me this 7th day of August 2007.


Notary Public **DAVID L. DOUGHTEN, Attorney**
Notary Public, State of Ohio
My Comm. Has No Expiration Date
Section 147.03 R.C.

September 18, 2007

Honorable Judge *****
Trumbull County Court
Warren, Ohio



Dear Judge Stuard,

My name is Michael Raymond, I am the son of Donna Roberts and step-son of Robert Fingerhut. On the night of Tuesday, December 11, 2001 – my parental family was devastated beyond nightmarish proportions. On that tragic night, I lost my close friend and step-father, Robert S. Fingerhut whom had been a very big part of my life since 1980 and lost my mother who had become jailed pre-trial in late December 2001 until present day.

Robert was far more than a typical step-father in my upbringing. He was also my friend and mentor in many ways. I spent most weekends, weeks in the summer and holidays with my mother and Robert. From as far back as 1980 of going to baseball games with Robert to traveling with them throughout Europe in 1989 while I was stationed in the US Army in Germany. We went on several cruises, countless road trips and Cleveland Indian baseball games over the years. The most memorable moment I shared with my mother and Robert was when they flew out from Miami, FL to Tucson, AZ to greet me at the airport as I returned back home from the Persian Gulf War/Desert Storm. Robert was terrified of flying, but flew out to welcome me home anyway.

I spent many weekends down in the Warren area visiting my mother and Robert, even helping out when they ran the Avis Car Rental at the Youngstown Airport and the Greyhound Bus offices located I both Warren and Youngstown from 1994-1998 when I lived about an hour north of them in Ashtabula, Ohio. I moved out to New Hampshire in 1998 after accepting a position working in the criminal law division for the U.S. Attorney's Office. I later worked for an educational testing company that required me to travel at least 3 weeks out of the month, however I would book my own travel and had frequent weekend stopovers when traveling through Cleveland or Pittsburgh and spend the weekend with my mother and Robert.

My mother was born on May 22, 1944 to Michael & Pauline Roberts of Youngstown, Ohio. They are both currently alive; however, my grandmother's health has been greatly declining over the past five years since this tragedy struck our family. Both my grandparents suffer severe depression and anxiety as a result of these horrific events and having their daughter jailed and even worse, being sentenced to death. My grandmother currently has hospice service who visits frequently since her health is failing beyond any further repair. My grandfather is doing alright physically, however, psychologically he felt as if he lost his daughter and son-in-law back in December 2001.

My birth father, William Raymond and my mother, Donna Roberts met one another in Fitch High School and dated. They went to college at Youngstown University and moved down to Miami, FL in 1966. I was born on June 17, 1969. My mother left my father and me around the spring of 1971 and began dating her future husband Burt Gelfand who also lived in Miami, FL. I would visit my mother on the weekends; usually she would pick me up Friday evening and would bring me back to my father Sunday afternoon. My mother and Burt were married for five years and divorced in 1978-79. My mother remained single for the next year or so and dated a few different individuals.

My mother and Robert happened to live in the same apartment complex in North Miami Beach in 1980 and were introduced to one another by a woman who also lived in the complex who was a mutual friend of theirs. At one point in 1981, I believe my mother and Robert ended up sharing her apartment. Within a year, they later moved to a condo high-rise located on Miami Beach in 1983 and were married in a traditional Jewish marriage after my mother had studied and converted from being Catholic to Jewish under strict Orthodox conditions.

My mother worked as a plastic surgeon's assistant and office manager for Dr. Morten Frieman of North Miami Beach from the early 1970s until 1993 when she and Robert moved to Richmond, VA for one year, then ended up moving to Ohio in 1994.

My mother was involved in many community service and awareness groups when she lived and worked in North Miami Beach and donated many hours of community service to lower income Jewish families and would bring them food quite frequently. She also made two trips over to Israel in the

early 1980s with Dr. Frieman volunteering to assist plastic surgery operations on Israeli soldiers wounded in conflict with the Palestinians. They were in hostile areas and worked in field medical conditions that were considered war zones. She helped many injured soldiers in an attempt to give them a second chance in life by performing skin-grafts from deceased soldiers to those who were badly burned or severally injured.

In the mid 1980s my mother was in a severe car accident in her Toyota Corolla after another car ran through a light and struck her directly on. She was taken to Parkway General Hospital in North Miami Beach and suffered significant internal injuries, concussions and back injury. Even though she eventually recovered from the physical injuries, she continues to suffer to this day with back and neck problems.

My mother had an incident in the mid 1980s where a individual ran up to her car while trying to leave work, he grabbed her door handle and started to open the door – at which time she hit the gas and sped away. One of my mother's friends, Judy – was attacked in her home and raped at knife point. My mother had Judy stay with her and my mother even stayed at Judy's home to give her support and comfort as she tried to deal with the attack.

The straw that broke the camels back for my mother and Robert living in Miami was when she was attacked in broad daylight on the corner of a busy intersection at a gas station. She had just finished pumping gas and paid, as she was opening her car door to get in – a man ran up shoved her into the car and started hitting her and trying to push her over so that he could drive the car off with her inside. However, she was hitting and kicking the attacker and grabbed her mini mace on her key chain and tried to spray the attacker, which ended up spraying all over both of them. A mechanic at the gas station ran over and tried to stop the attack when a car with three other men drove up and grabbed their friend and sped away. This incident impacted her and Robert so severely that they both gave up long successful and good paying jobs and a very nice home in Miami and moved away.

They initially moved to Richmond, VA in 1993 where Robert worked as a counselor at a local correctional facility and my mother worked at home. After being disappointed in the Richmond area, they decided to move to Ohio in 1994 since my mother's entire family lived there, not too mention Robert was a very big fan of the Cleveland Indians and wanted to be able to

go to games periodically. They initially lived upstairs at her parents home until they found their own home at 254 Fonderlac SE, in Warren, OH.

Upon first moving to Ohio, my mother and Robert operated the Avis Car Rental franchise at the Youngstown/Warren Regional Airport for over a year. They left Avis and Robert worked in sales for a year or so before they took over the Greyhound bus service located in downtown Youngstown. While at the WRTA bus terminal, they also ran a small fast food restaurant called "Just the Ticket" but later closed the restaurant after a year or so after putting in too many hours at both businesses. After significant success and improving sales and customer service with the Youngstown Greyhound station, they were offered the opportunity to take over the Warren Greyhound office where it turned out to be a success as well.

In April of 2000, my mother blacked-out while driving home from Youngstown to Warren along Route 11 and collided with a pillar under an overpass. Her car was totally destroyed and she suffered 3 traumatic concussions to her skull, broken ribs and a few other injuries.

Prior to this accident, my mother would call me a minimum of once a week, sometimes more depending on what was going on in their lives or mines. Even when I was deployed to the Gulf War she would call me in Saudi Arabia at least once a week and their phone bills ran in the hundreds and even a thousand dollars several times during my eight month deployment. However, after this severe car accident in April 2000, my mother seemed to become a different person. The weekly phone calls ceased and I was lucky to hear from her once a month, and half the time I had to initiate the call. Even our phone discussions themselves seemed different. Not only were they shorter in nature, her voice or tone sounded somewhat different – almost as if I was talking to a different person at times who seemed distant or lacking emotions. Sometimes she would be all excited and perky in tone, the next time down and depressed.

I do not know the exact dates or specific hospital, but I believe it to be the Warren Hospital that my mother checked herself into in late 2000 after she initially attempted suicide with her one dog Blossom when she got into her car in the garage, started the car and sat in it for a few minutes. She told me that Blossom looked at her and licked her, that was when she realized she was in a trance, shut off the car and quickly got out of the garage and went outside for fresh air. She spent a week getting mental health treatment at

this medical facility and was later discharged. I don't recall all of the medication my mother and Robert were taking, but I remember them saying they both took anti-anxiety, anti-depressants, or valium to deal with everything. I also discovered that my mother also started smoking marijuana after her car accident and up until the tragedy.

My mother and Robert had a unique relationship over the years. Even though they married and divorced after five years, they were only divorced by the courts – not by Jewish law which they practiced and followed. At times they were happier than any couple I had ever come across having the times of their lives, traveling the world and having everything they ever wanted, including their two Laso Apso's, Fluffy and Blossom whom they loved and spoiled more than anything. Their dogs didn't eat dog food, ever. They would prepare baked chicken, meatloaf, rice, pasta and would give them each a tablespoon of peanut butter each night before going to bed.

Then there were the not so good times when they would argue and fight with one another, much like that in the movie "War of the Roses." They would verbally fight and accost one another to the extreme and then the complete opposite type fights where they would give each other the "silent" treatment for days and even weeks where they wouldn't say one word to one another. I only know of one fight that turned physical when Robert took my mother's jewelry box and tossed it out into the front yard containing all of her valuable jewelry, she confronted him and as they argued he grabbed her and shoved her out of his way and she fell to the ground. After I heard of this incident, I told Robert it is none of my business about their disagreements or arguments, but when it turns physical and either of you are harming one another – I will intervene. This incident was in the early 1990's when they still lived down in North Miami Beach, FL. At no time during my upbringing as a child did either Robert or my mother ever strike me – they were not physically violent.

My mother and Robert had possessed handguns as far back as I could remember dating back to 1980. They both practiced at target ranges and my mother had all their weapons registered. After her first attack, my mother obtained a concealed firearms license from the State of Florida. At no time, even during the worst of times between my mother and Robert, they never made any deadly threats or pulled a gun out during their fights. Robert kept a handgun in the nightstand next to him and my mother kept one in her purse. I recall my mother telling me her handgun was stolen out of purse at

the Warren Greyhound station sometime I believe in the summer of 2001. Robert would carry his handgun with him if he was working late and especially on Tuesdays since that was traditionally the day he carried the bank deposit home with him that he would drop off at the bank the next morning.

I called my parents home around 9:30pm on Tuesday, December 11, 2001 because I knew Robert closed the bus station at 9pm and was usually home by 9:25pm. It was also the third night of Chanukah and I wanted to wish them a happy holiday since my mother would wait each night to light the Menorah until Robert returned home. I also was calling to let them know I had sent them the care package of goodies from NJ (Robert's birthplace) a few days prior that they asked me to get while I was there the on a business trip. The call was never answered and I got their voicemail and left them an animated holiday type message. Days later when I was taken into the home with the Howland P.D., I noticed the flashing light on the answering machine in the kitchen just a few feet away from where Robert laid.

Several packages arrived at their home between December 11th – 20th of Chanukah gifts that my mother ordered for Robert and he ordered for her as well. Several of the orders were dated in the first week of December. I accessed my parent's email that my mother and Robert shared (drobe31356@aol.com) and there were several emails from my mother to people whom she bought sports gifts for Robert on Ebay days prior to the tragedy.

I find it very hard to comprehend the entire ordeal. If my mother no longer wanted to be with Robert, all she had to do was literally change the locks – everything was in my mothers name ... the house, the cars, the businesses, bank accounts – and since Ohio did not have common law marriages during the time, he had no rights to anything, she simply could have just cut him off. I did not know about an alleged affair my mother had with Nathaniel Jackson, their telephone conversations or letters to one another.

My mother never spoke of seeing anyone, nor did Robert ever say anything to me about being suspicious of her doing anything. I do not know of Robert having any affairs or involvement with anyone – he basically worked so much that it would have been nearly impossible for him to do so. However, Robert did have an obsession with pornography and odd adult items, and used to be verbal with my mother at times, even in front of me –

usually in a joking manner, but serious at the same time. He used to tell me things like “your mother never gives me sex or blowjobs anymore.” I would tell him I don’t need to know or want to know those things.

I can’t even begin to tell you how devastating the tragedy has affected me ... the loss of Robert in such a horrific manner and then my mother being placed on Death Row have become a nightmare I live and sleep each day. I have post-traumatic stress disorder from the Gulf War, anxiety, depression, a sleeping disorder ... this event compounded my health issues four fold and continue to affect me whenever my mother informs me of her mistreatment in jail and my feeling of being helpless while she suffers in prison.

I humbly ask that you see how this loss of both Robert and my mother has affected our family and impacted my life. My mother is not a violent woman nor is she is threat to anyone. As a family member of both the victim and accused, I feel as though I am placed on the fence and suffer in multiple ways by the loss of my parents, Donna Roberts & Robert Fingerhut ... they were more than just parents to me, they were also my friends whom I could talk to about anything and everything in my life.

Your Honor, I kindly ask that you reconsider the sentence of death imposed upon my mother and give her a sentence of less magnitude. Even a sentence of 20 years with a chance of parole would be priceless to me so that I could one day be reunited with at least one of my parents ... to care for her in her final few years. Life is so precious and short – I miss both Robert and my mother more than I could ever put to words ... I beg of you to please give me the hope of opportunity to once again have my mother returned back to me to be able to hold.

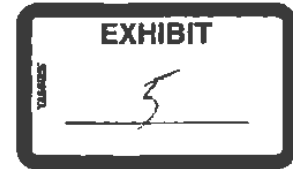
Respectfully Submitted,

Michael Raymond
Son of Donna Roberts & Robert Fingerhut

Dated: September 18, 2007

Address: 115 Oak Street, Rochester, NH 03839
Home Phone: (603) 335-1557
Cell Phone: (603) 608-6898

Medical Records Search
Donna Marie Roberts
Performed 9/11 – 9/19



I. Miami, Florida

Mrs. Roberts' reported multiple accidents in the Miami Beach area. She provided limited information about a few hospitals in the area as well as indicating the year the incidents took place.

After researching the area hospital and speaking with multiple people familiar with the healthcare market in Miami we discovered the following information:

- 1963 visit to South Side Hospital

There are two potential hospitals in the Miami area that were operating in 1963.

South Shore Hospital closed about 2 years ago and has transferred their records to the Florida Health Department. Norma Duran is in charge of this department and multiple messages have been left for her to check if any of Mrs. Robert's records still exist.

South Miami Hospital has operated in Miami since 1960 however does not maintain any records before 1980. Any records that Mrs. Roberts' might have had would have been disposed of 10 years after their were created.

- 1983 visit to Parkway General Hospital

Parkway General is now named Jackson North Hospital. The named changed in the late 1990's however it operate in the 1980's as Parkway General and Parkway Regional Hospital. Unfortunately, the hospital has no record of Mrs. Roberts' visits. The hospital did not use electronic filing at the time and there is no requirement in Florida or these records to be maintained for longer than 10 years.

Mrs. Roberts' also named her attending doctors as Dr. Gary Lustgarten and Dr. Abeckjerr. Both doctors have practiced in the Miami area since at least 1983 and are often associated with Parkway General. In fact, Dr. Gary Lustgarten is neurosurgeon in Miami has a private practice and has attended at Parkway General since the 1980's. Doctors in the state of Florida are only required to keep their records for 7 years. Both these doctors actively purge their records yearly and therefore no records form the 80's exist.

II. Warren, Ohio

Mrs. Roberts' also indicated a variety of hospital visits during 1999 and 2000. These records were much easier to located due to advances in technology used in the late

1990's. Mrs. Roberts has medical records at Trumbell Memorial Hospital and St. Joseph Health Center in Warren, OH. Finally she had an ER visit at St. Elizabeth's Hospital in Youngstown, Ohio.

- Trumbell Memorial

Trumbell Memorial has records of X-rays taken of Mrs. Robert's taken in 1998, 1999 and 2001. These records can only be requested by United States Mail and take about two weeks to process. The records were identified on 9/19/2007 and a request for them sent out soon thereafter.

- St. Joseph's

St. Joseph's also has records for Mrs. Roberts's. These records include an emergency room visit, psychological evaluations and some out patient visits. These records were identified on 9/19/2007 and the request must explicitly request the information by using a timeframe and other specific information.

- St. Elizabeth's Health Center

Mrs. Robert's had one emergency room visit in 1999. These records were discovered on 9/19/2007 and can be requested by fax. Five to seven business days are necessary in order to obtain the records from their offsite records location.

A listing of all hospital names, addresses and phone numbers mentioned above are indexed below.

South Miami Hospital

620023rd Street, Miami, Fl. 33143
305 661 4611

South Shore Hospital

Closed: contact Florida Health Department, Norma Duran: 786 336 1274

Parkway General Hospital (now called Jackson North Medical Center)

160 Northwest 170th Street, Miami, Florida, 33169
(305) 651-1100

Trumbell Memorial Hospital

1350 E Market St # 3, Warren, OH 44482
(330) 841-9011

St. Joseph Health Center

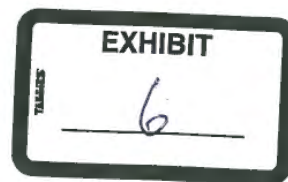
667 Eastland Ave SE, Warren, OH 44484

(330) 841-4000

St. Elizabeth's Hospital

1044 Belmont Ave, Youngstown, OH 44504

(330) 746-7211





EXHIBIT

7

S.S. SeaBreeze

Dolphin Cruise Line



S.S. SeaBreeze

Dolphin Cruise Line

KAREN HAYES
CLERK OF COURTS
TRUMBULL COUNTY, OHIO
2007 SEP 20 AM 10:50
TRUMBULL COUNTY
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff :
-vs- : JUDGE JOHN M. STUARD
DONNA ROBERTS, : MOTION FOR APPOINTMENT
Defendant : OF INDEPENDENT EXPERT
 : AND FOR CONTINUANCE


Now comes the Defendant, Donna Roberts, by and through the undersigned counsel, and hereby moves this honorable court for appointment of an independent mental health expert with expertise in the field of neuropsychology to evaluate the defendant and her medical/psychological history and assist the defense. This request is based upon investigation by the defense indicating the potential of organic brain damage due to documented head trauma on the part of the defendant.


The defense further moves for a continuance of the presently scheduled competency and sentencing hearings for this reason as well as the fact that the court has not ruled upon their request for an independent competency evaluation.

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WHEREFORE, based upon the foregoing, the Defendant prays that this Motion
be granted.

Respectfully submitted,



ROBERT A. DIXON (0022466)
4403 St. Clair Ave.
Cleveland, Ohio 44103
(216) 432-1992


DAVID L. DOUGHTEN (002847)
4403 St. Clair Ave.
Cleveland, Ohio 44103
(216) 361-1112

Counsel for Defendant Donna Roberts

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion was served upon Dennis Watkins, Trumbull County Prosecutor and Christopher Becker, Esq., Assistant County Prosecutor at their offices at County Administration Building, 160 High Street, Warren, Ohio 44481 by ordinary mail and via fax this 18 day of September, 2007.


DAVID L. DOUGHTEN
ROBERT A. DIXON

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,)
)
 Plaintiff)
)
 -vs-)
)
 DONNA MARIE ROBERTS,)
 INMATE #W055276)
)
 Defendant)

CASE NO. 01-CR-793

JUDGE JOHN M. STUARD

MOTION FOR
WARRANT OF REMOVAL

Now comes the Plaintiff, State of Ohio, by and through its undersigned counsel, and pursuant to Ohio Revised Code 2941.40, moves this Honorable Court for a Warrant of Removal for **DONNA MARIE ROBERTS** who is presently confined at the Ohio Reformatory for Women, in Marysville, Ohio. Said Defendant, is to be removed from the Ohio Reformatory for Women and taken to the Trumbull County Jail in Warren, Ohio, on or before October 22, 2007, and incarcerated there until she is brought before the Court for a Competency hearing on October 22, 2007 at 2:30 p.m. and a Re-Sentencing hearing scheduled October 29, 2007 at 1:00 p.m.

The State requests that its requested Warrant be delivered to the Trumbull County Sheriff Thomas Altieri and conveyed to the Warden at the facility who shall commit said defendant to the Trumbull County Jail on or before October 22, 2007.

For removing the Defendant, the State motions this Court to allow to the Sheriff the fees allowed for conveying the defendant to the Trumbull County Jail.

FILED
COURT OF COMMON PLEAS

OCT 2 2007

DATED

TRUMBULL COUNTY, OH
KAREN INFANTE ALLEN, CLERK

CHRISTOPHER D. BECKER
Assistant Prosecuting Attorney
Trumbull C. Prosecutor's Office

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,

Plaintiff

-vs-

DONNA MARIE ROBERTS,
INMATE #W055276

Defendant

CASE NO. 01-CR-793

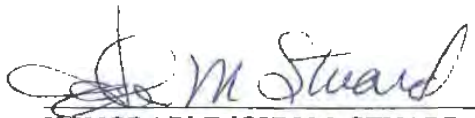
JUDGE JOHN M. STUARD

JOURNAL ENTRY
WARRANT FOR REMOVAL

The State's Motion for Warrant for Removal has come before and been heard by this Court. It is therefore, ORDERED, ADJUDGED, and DECREED that Trumbull County Sheriff, Thomas Altieri shall on or before October 22, 2007, take **DONNA MARIE ROBERTS, INMATE NO. W055276**, from the Ohio Reformatory for Women, in Maryville, Ohio, and that Sheriff Altieri shall convey said Defendant to the Trumbull County Jail, where she shall remain incarcerated until such time as she is brought before the Court on October 22, 2007 at 1:00 p.m. for a Competency hearing and a Re-Sentencing hearing is set on October 29, 2007 at 1:00 p.m.

It is further ORDERED, ADJUDGED, and DECREED that the County Sheriff shall receive the fees allowed for conveying the defendant to the Trumbull County Jail.

9/28/07
DATED


HONORABLE JOHN M. STUARD
JUDGE, COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

FILED
COURT OF COMMON PLEAS
OCT 2 2007
TRUMBULL COUNTY, OH
KAREN INFANTE ALLEN, CLERK

VOL 1150-PAGE 827

WARRANT TO CONVEY

TO THE TRUMBULL COUNTY JAIL
REVISED CODE, SEC. 2949.12 TO 2949.17

COURT OF COMMON PLEAS, TRUMBULL COUNTY, WARREN, OHIO

2001 CR 00793

STATE OF OHIO

VS.

DONNA MARIE ROBERTS

TO THE SHERIFF OF SAID COUNTY:

WHEREAS, OUR SAID COURT, BEGUN AND HELD AT WARREN, OHIO IN SAID COUNTY ON September 26, 2007, THE SAID DEFENDANT **DONNA MARIE ROBERTS**:

Agg. Murder

AND WAS SENTENCED BY THE COURT TO:

OHIO REFORMATORY FOR WOMEN at MARYSVILLE, OHIO

YOU ARE THEREFORE HEREBY COMMANDED, TO TAKE CHARGE OF AND CONVEY THE SAID **DONNA MARIE ROBERTS** TO TRUMBULL COUNTY JAIL AT WARREN, OHIO.

AND MAKE DUE RETURN OF YOUR PROCEEDING HEREIN TO THIS OFFICE FORTHWITH.

IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SET MY HAND AND
AFFIXED THE SEAL OF SAID COURT AT
TRUMBULL COUNTY, WARREN, OHIO
September 26, 2007

KAREN INFANTE ALLEN,
Clerk of Courts

By: **NANCY WINGARD**, Deputy Clerk

1994
200

2001 CR 00793

RETURN

TRUMBULL COUNTY
COMMON PLEAS COURT
Trumbull County, Warren, Ohio

STATE OF OHIO

VS.

DONNA MARIE ROBERTS

WARRANT TO CONVEYRETURNED AND FILED

_____, 20____

KAREN INFANTE ALLEN,
Clerk of Courts

By: _____
DEPUTY CLERK

RECEIVED THIS WRIT ON THE 3 DAY
OF OCT, 2002, AT 1147
O'CLOCK A.M., AND ON THE 18
DAY OF October, 2002,
I EXECUTED THE SAME BY CONVEYING
THE PERSON NAMED TO THE PLACE
DESIGNATED AS SHOWN BY THE
RECEIPT ENDORSED HEREON.

Thomas Altare
SHERIFF

By: William Stender
DEPUTY

FEES

Mileage:	\$ <u>230.50</u>
Service:	\$ <u>10.00</u>
Other:	\$ _____
_____	\$ _____
TOTAL:	\$ <u>240.50</u>

_____, OHIO

_____, 20____

RECEIVED THIS DAY FROM _____
SHERIFF OF _____
COUNTY, OHIO, THE PRISONER NAMED
IN THE WITHIN WARRANT.

M. Bradshaw
Superintendent

2007 OCT 18 AM 11:28
CLERK OF COURTS

STATE OF OHIO)
)SS.
COUNTY OF TRUMBULL)

IN THE COURT OF APPEALS
ELEVENTH DISTRICT

STATE OF OHIO,
Plaintiff-Appellee,

- vs -

DONNA ROBERTS,
Defendant-Appellant.

JUDGMENT ENTRY

CASE NO. 2005-T-0034

M A N D A T E

COMMON PLEAS
CASE NO. 2001 CR 793

For the reasons stated in the Memorandum Opinion of this court, it is the sua sponte order of this court that the instant appeal is hereby dismissed for lack of jurisdiction.


JUDGE TIMOTHY P. CANNON

FOR THE COURT

FILED
COURT OF APPEALS

OCT 22 2007

TRUMBULL COUNTY, OH
KAREN INFANTE ALLEN, CLERK

CLERK OF COURTS

2007 OCT 22 PM 4:31

CLERK

VOL 1152 PAGE 627

SCAN

IN THE COURT OF COMMON PLEAS
TURMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO, : CASE NO. CR 2001 CR 0793
Plaintiff, :
-VS- : JUDGE JOHN M. STUARD
DONNA ROBERTS, :
Defendant. :

DEFENDANT ROBERT'S SENTANCING MEMMMORANDUM

Respectfully Submitted,

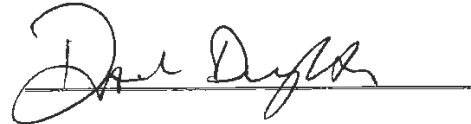

DAVID L. DOUGHTEN (0002847)
4403 St. Clair Avenue
Cleveland, Ohio 44103
(216) 361-1112


ROBERT A. DIXON (0022466)
4403 St. Clair Avenue
Cleveland, Ohio 44103
(216) 432-1992

Counsel for Defendant Donna Roberts

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Sentencing Memorandum was served upon David Watkins, Trumbull County Prosecutor and/or Christopher Becker, Esq., Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 4481, by regular U.S. mail on this 26 day of October 2007.

A handwritten signature in black ink, appearing to read "David Doughten", is written over a horizontal line.

DAVID L. DOUGHTEN
Attorney for Defendant

DEFENDANT'S SENTANCING MEMMORANDUM

The Defendant, Donna Roberts, has submitted to this Court a binder containing records of her recently discovered Social Security claim for mental disability. As a result of that claim, Ms. Roberts received a Social Security benefits Award for "affective disorder." The Defendant submits that those records are of great significance and should be taken into consideration of this Court prior to imposition of sentence and as a supplement to her allocution in this case.

The records clearly support the claim that after Ms. Roberts' automobile accident in 1999 she suffered from mental conditions as a direct result of head trauma sustained during that accident. While all the records are significant, certain portions are critical to this Court's determination in this case. Specifically, the Defendant refers the Court to the words of victim in this case, Robert Fingerhut, who indicates that Ms. Roberts' entire personality changed drastically very shortly after the auto accident. He described her prior to the accident as "effervescent and bubbly" with many interests in life. After the accident, he describes her as confused, depressed, forgetful, uninterested in life and given to severe mood swings. (His statement as contained in the Social Security records is attached hereto.) Further, in a report dated October 20, 1999, Doctor Donald Degli, M.A., indicates that Mrs. Roberts presented a full scale IQ of 65 which is considered at the top of mild mental retardation range. This is a significant change from her condition prior to the accident in which she was considered by all to be of above average intelligence. Clearly such a significant change at least warrants further investigation.

The Defendant urges the Court to consider the foregoing items as well as the totality of facts and circumstances brought before the Court through Proffers and Allocution. She

respectfully suggests that all of the facts and circumstances support a sentence other than death.

Respectfully Submitted,



DAVID L. DOUGHTEN (0002847)
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ROBERT A. DIXON (0022466)
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Cleveland, Ohio 44103
(216) 432-1992

Counsel for Defendant Donna Roberts

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CASE NO. 01-CR-793

STATE OF OHIO,)
Plaintiff)
vs.) JUDGMENT ENTRY
DONNA ROBERTS,)
Defendant)

This matter is before the Court on remand from the Supreme Court of Ohio pursuant to the Court's opinion and Order on Remand. See State v. Roberts (2006) 110 Oh.Std.3d 71. The remand is quite specific (paragraph 167) wherein having found no prejudicial error in regard to Defendant Roberts' conviction, the conviction and judgment of the Court was affirmed.

The reviewing court went on to state the opinion that the administrative act of typing this Court's opinion evaluating of the appropriateness of the death penalty as required by R.C. 2929.03(F) was defective. The Supreme Court apparently thought the Prosecution participated in the Court's conclusions as set forth in the final opinion.

The last issue on remand was to instruct this Court to

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provide Roberts with her right of allocution before reimposing sentence.

This writer has presided over the trials of each of the co-Defendants, Roberts and Jackson. He has reviewed and decided the appropriateness of the death penalty option in both cases as required by R.C. 2929.03 and now does so again as ordered by the Ohio Supreme Court.

There is perhaps no case in the annals of Criminology where the perpetrators wrote personal letters to each other outlining in great detail their plan to kill another person, made numerous phone calls which they knew were been recorded, yet still talked of their plans, and one, the Defendant herein, refused to allow mitigating evidence to be offered on her behalf but insisted in her unsworn summation to the jury that it invoke the death penalty.

On May 28, 2003, a Trumbull County Petit Jury, after hearing the extensive evidence presented by the Prosecution, returned a unanimous verdict finding the Defendant, Donna Marie Roberts, guilty of two counts of complicity to Commit Aggravated Murder. The victim, Robert S. Fingerhut, was the ex-husband and domestic partner of the Defendant at the time of his death. Each count contained two specifications of aggravating circumstances, listed in Revised Code 2929.04(A).

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Counts One and Two of the indictment merge for sentencing purposes. The State elected to dismiss Count Two of the Specification thereto prior to the commencement of the mitigation phase. This Court for purposes of this opinion, addresses the conviction of the Defendant on the first count of the indictment wherein she purposely and with prior calculation and design caused the death of Robert S. Fingerhut.

The mitigation or second phase of the trial began on June 4, 2003. The jury, after deliberation, unanimously found the State had proven beyond a reasonable doubt that the aggravating circumstances, to wit, Specification One to Count One, that the Defendant was a complicitor in committing or attempting to commit or in fleeing immediately after committing, or attempting to commit aggravated burglary, and that the Defendant committed the aggravated murder with prior calculation and design. The jury also found by evidence proven beyond a reasonable doubt as to Specification Two to Count One that the Defendant was a complicitor in committing or attempting to commit or in fleeing immediately after committing or attempting to commit aggravated robbery. The jury further found by proof beyond a reasonable doubt that the Defendant committed the Aggravated Murder with prior

calculation and design. The jury further found the aggravating factors outweighed the mitigating factors and returned two verdicts recommending the death sentence.

This Court is obligated to review the evidence presented in this case and to review that evidence independently without regard to the findings of the jury. The purpose of such independent review is for the Court to weigh the aggravating circumstances of each specification against any mitigating factors that may be present in favor of Defendant.

This Court has independently reviewed this case on a prior occasion, and has independently reviewed the present case once more, in keeping with the opinion of the Ohio Supreme Court.

There are many people who abhor the imposition of the death penalty and many others who are of the opinion that the death penalty is appropriate if done according to law as prescribed by our state legislature, Rules of Procedure, Evidence and by both our State and Federal Constitutions.

No matter what any particular judge's opinion may be on the matter, the law under review is quite clear that upon a jury returning its recommendation of the death penalty, the sitting judge must re-weigh the evidence presented to the jury upon which the judgment was determined. The judge is required

to review that evidence independently and to determine if the jury was mistaken, or misinterpreted or failed to take into account facts or a fact that in light of the absolute seriousness of the recommendation that reasons exists wherein the imposition of the death penalty should not be sanctioned by the court.

The evidence presented in this trial Court showed an ex-wife who had a reason, and put into play a plan, to have her ex-husband murdered so as to collect \$550,000 in life insurance proceeds. Defendant's plan to murder can reasonably be characterized as unimaginative and naive in concept and ill-fated and botched in its implementation.

The Defendant had become involved romantically and sexually with her co-defendant, Nathaniel Jackson, several months before the murder. Jackson was incarcerated in an Ohio State prison on an unrelated offenses but Defendant and he began written correspondence for at least the last three months before his release. The evidence presented nineteen collect telephone calls from Jackson's prison to Defendant. Throughout the written correspondence and the recorded phone calls, the Defendant and Jackson planned the murder.

As discussed in the phone conversations and letters written to each other and presented in evidence, the plan was

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that Defendant would pick up co-defendant Jackson from prison on December 9, 2001, take him to the Wagon Wheel Motel in Boardman, Ohio, rent a room with a mirrored ceiling and Jacuzzi tub where they would have sexual relations. The Defendant would obtain handcuffs, a firearm, ski mask, leather gloves to conceal fingerprints and would provide a means of access to Defendant's residence so Jackson could abduct the victim, take him to another location and kill him. The conspirators discussed forcing the victim to watch the Defendant perform oral sex on Jackson before executing the victim.

In order to prove an alibi for herself, Roberts traveled by automobile to various retail outlets and entered the stores knowing she would be recorded on the various store video security cameras. This would also establish a time line for her whereabouts at the time of the pending murder.

Roberts also, during her shopping trip, took the time to call the Greyhound bus station, which her ex-husband owned and operated to be sure Fingerhut left work on time, i.e, 9:00 p.m.

Roberts provided Jackson with a cell phone in order to co-ordinate the execution of the plan according to schedule.

Jackson was able to enter the Fingerhut house by the key

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provided by Roberts, but found upon confronting Fingerhut that the victim was also armed. During the confrontation and struggle that ensued, Jackson was shot in his left index finger. Jackson then shot Fingerhut three times with one fatal shot to the head. Fingerhut's keys were taken by Jackson and he drove the deceased's Chrysler 300M to Youngstown, Ohio, where it was eventually found within three blocks of where Jackson was arrested on December 20, 2001.

Various phone calls continued between Defendant and Jackson during the hours of 9:30 p.m. to 12 midnight on December 11, 2001. Between 9:30 p.m. and 10:30 p.m., the Defendant drove Jackson to the Days Inn in Boardman, Ohio, rented a room for him and treated his wound. Later the hotel cleaning staff would find bloody bandages and medical supplies in this room which were retrieved by the police.

Roberts then returned to the residence in Howland Township, Trumbull County, Ohio, and found her ex-husband's body inside the main door leading from the garage. Roberts then called 911 to report the murder and when the police arrived, as she had done on the 911 call, she feigned her shock and grief according to the plan laid out in her letters to Jackson.

The Howland Township police as they arrived and started

their investigation found no sign of forced entry. Beside the corpse was found a revolver and the victim had two wallets containing large sums of cash with credit cards. The house contained other valuables but nothing could be identified as missing other than Fingerhut's Chrysler automobile.

Roberts upon request granted permission to the police to search the house and her vehicle. The search turned up approximately 140 letters from Jackson to Roberts in her dresser and approximately 140 letters from Roberts to Jackson in the trunk of Roberts car in a paper bag bearing Jackson's prison number.

Also during the following days of investigation, the police obtained nineteen recorded telephone conversations between the Defendant and Jackson. There were approximately three hours of phone conversation which are automatically recorded by the prison when inmates such as Jackson speak by phone to another person outside the prison. The tapes revealed a continuing and evolving plan to kill Fingerhut within days of Jackson's release from prison.

When Jackson was arrested in Youngstown, Ohio, a pair of black leather gloves with fleece lining were recovered from that home. The same type of gloves as mentioned in their letters. One of the gloves had gunshot residue and a hole in

the left index finger and what appeared to be possibly blood in the area of the hole. The damage to the glove matched the injury Jackson had sustained to his finger.

Fingerhut's automobile having been stolen by Jackson when checked by forensic personnel revealed a DNA analysis match of the DNA profile of both Jackson and Fingerhut. Also the blood samples from the Boardman Days Inn matched the DNA profile of Jackson.

The State also produced evidence showing Roberts had recently checked on Fingerhut's life insurance, upon which she was primary beneficiary, to be sure the policy was still in effect. Also that Roberts promised to purchase a new Cadillac for Jackson once the proceeds were collected. Roberts repeatedly told Jackson how much she hated her ex-husband with whom she continued to live.

Defendant told the police during their investigation of the crime scene on December 12, 2001, that she had been shopping prior to returning home and gave them the name and location of her activities. The police were able to confirm she was at Wal-Mart at approximately 9:30 p.m. that evening. She failed to mention she had taken Jackson to the Days Inn in Boardman, Ohio.

The police asked Roberts to provide a list of suspects

she felt may have wanted to kill Fingerhut. Again she failed to mention Nathaniel Jackson in the list she provided. When asked specifically about Jackson, she replied, "Oh, I almost forgot about him."

The investigation found that Defendant and Jackson had worked together throughout the afternoon and evening of December 11, 2001. The evidence presented was that Defendant had taken Jackson to get a hair cut that day, had eaten dinner at the Red Lobster, and he was with her for a portion of the day at the Warren Greyhound bus terminal in Warren, Ohio, which Roberts managed for Fingerhut. Roberts had told the police, however, that she had last seen Jackson on Monday, December 10, 2001, and had spoken with him on the morning of December 11, 2001.

Frank Reynold, an employee or hanger-on at the Youngstown bus terminal testified he was present a day or so before the murder and saw Roberts approach and ask Fingerhut for \$3,000. Fingerhut refused to give her the money. Roberts had mentioned in one of her letters to Jackson that she was tired of the "grinch" doling out money to her.

Roberts also accused an ex-convict with whom she had a sexual liaison within her home shortly before Jackson's release from prison of stealing a .38 caliber weapon from her.

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She informed the police two .38 caliber weapons were missing from the house. The person accused of the theft, Santiago Mason, denied the allegation.

In this case, the Jury found the existence beyond a reasonable doubt, of two aggravating circumstances, pursuant to Section 2929.04(A)(7) of the Revised Code, to-wit, Specification One to Count One, that the Defendant was a complicitor in committing or attempting to commit or in fleeing immediately after committing or attempting to commit aggravated burglary, and that the Defendant committed the aggravated murder with prior calculation and design. And Specification Two to Count One, that the Defendant was a complicitor in committing or attempting to commit, or in fleeing immediately after committing or attempting to commit aggravated robbery, and that the Defendant committed the Aggravated Murder with prior calculation and design.

With respect to the aggravating circumstances relating to the aggravated burglary, the evidence presented at trial proved that the Defendant allowed Jackson to trespass in Fingerhut's residence, located at 254 Fonderlac Drive, Howland Township, Trumbull County, Ohio, with the specific purpose of killing Fingerhut with prior calculation and design.

Jackson was wearing leather gloves and armed with a firearm, which he used to shoot the victim three times causing his death. The gloves and the ski mask, firearm and access to the house were all provided by the Defendant with prior calculation and design, as evidenced by the telephone calls and letters introduced by the State. The Defendant assured the victim's arrival, by checking at his place of employment, and determining when he left work by calling him on the telephone while he was on his way home.

The Defendant also checked on the status of the life insurance policies and determined that the premiums paid were up to the end of 2001, and advised Jackson of the same. Pursuant to her plan to kill Fingerhut, the Defendant took Jackson to a motel room in Boardman, Ohio, and rented the room for one week which was consistent with the plans discussed in the letters and phone calls prior to the murder.

Upon discovering Fingerhut's body, the Defendant feigned grief exactly as discussed in her letters with Jackson. During the course of the investigation, the Defendant continually threw out red herrings to the Howland Policy by mentioning a number of possible suspects, including alleged homosexual lovers of the victim, her ex-boyfriends, crazy people from the bus terminal in Youngstown, and

Santiago Mason. The Defendant only mentioned Jackson, the convict she had corresponded with by letters for three months, spoken to on the telephone 19 times, picked up from prison and engaged in sexual relations with just two days prior, taken to get a haircut and ate dinner with just hours previously and the person whom she had driven to Boardman, Ohio on the night of the murder, and who had an injured index finger, only after the investigators confronted her with his name.

From the aforementioned evidence, the Court concludes that the Defendant committed the aggravated murder as a complicitor, while committing or attempting to commit or in fleeing immediately after committing or attempting to commit aggravated burglary. And that the Defendant committed the aggravated murder with prior calculation and design. With respect to the aggravating circumstance related to the aggravated robbery, after Jackson had murdered the victim, he took the victim's set of keys and the silver Chrysler 300M. Although the planned crime involved Jackson stealing Fingerhut's car in order to kidnap Fingerhut, it is clear that Jackson was to take the victim's car to flee the residence.

The fact that Fingerhut struggled with Jackson in the residence and was killed in the residence, in no way, negates the Defendant's plan that Jackson should steal the victim's

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car to facilitate Jackson's own flight from the residence. Ample DNA evidence was presented indicating that Jackson was in the silver Chrysler 300M following the murder of Fingerhut. Additionally, phone records were introduced showing that Jackson and the Defendant called each other after the murder to check on the status of the plan.

Finally, the vehicle was recovered a few blocks from the location where Jackson was arrested. The Defendant, in accordance with the plan to kill Fingerhut, paid for a hotel room for Jackson following the murder. The fact that the silver Chrysler 300M was found abandoned with the victim's keys in the ignition, coupled with the fact that the victim's wallet, money, credit cards and other valuables were not stolen, clearly shows that the plan to steal the victim's car with a means of escape following the kidnapping and murder of the victim was carried out in accordance with the prior calculation and design, as set out by the Defendant and Jackson.

From the aforementioned evidence, this Court concludes that the Defendant committed the Aggravated Murder, as a complicitor, while committing or attempting to commit or in fleeing immediately after committing or attempting to commit aggravated robbery, and that the Defendant committed the

aggravated murder with prior calculation and design.

Now, to be weighed against the aggravating circumstances, the Court must weigh any mitigating factors. On Tuesday, June 3, 2003, the Defendant appeared in-chambers and on the record with her retained attorneys, J. Gerald Ingram and John B. Juhasz, and her retained psychologist, Thomas Eberle. The State was present and represented by Assistant Prosecutor Kenneth N. Bailey and Christopher D. Becker.

At that time, the Defense indicated to the Court that the Defendant had been evaluated by Dr. Eberle for her competency to waive mitigating evidence. And that in the doctor's opinion, she was competent to do same.

This Court personally addressed the Defendant and inquired of her as to the importance of presenting mitigating evidence, the use of such evidence to offset the aggravating circumstances, and the effect of failing to present such evidence. The Court was assured at that time by the Defendant, that she understood these concepts by both Defense counsel and Dr. Eberle. This Court personally inquired whether the Defendant desired to waive the right to present mitigating evidence. The Court having found no evidence to contradict Dr. Eberle's findings on the Defendant's

statements, and her express desire to waive the presentation of mitigating evidence, then found that the Defendant was competent to waive her presentation of mitigating evidence, and had done so knowingly, voluntarily and intelligently, and the Defendant indicated to the Court, that she only desired to make an unsworn statement to the Jury, which she was advised she was permitted to do and would be permitted to make on June 4, 2003, which was the date previously scheduled for the mitigation phase.

On Wednesday, June 4, 2003, the Defendant made an unsworn statement during which she stated to the Jury that there were no mitigating factors, and during which she requested the Jury to impose the death sentence. This statement was articulate, coherent and well organized. The statement lasted approximately one hour, during which the Defendant showed no difficulty or fear in addressing a large group of individuals, including the Jury, and a large number of courtroom observers. The Defendant spoke freely and although she had with her prepared notes, she often extemporized.

Despite the preceding that I have outlined, the Court is still bound to make an independent weighing of any and all mitigating factors that it feels may exist in this case

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against the aggravating circumstances. The Defendant in this case was not the principal offender. Pursuant to Section 2929.04(B)(6), the Court considers this factor, but gives it very little weight.

The Defendant committed the Aggravated Murder during the course of the commission of both an aggravated burglary and aggravated robbery. The record is replete with instances where the Defendant actively planned this Aggravated Murder with prior calculation and design in order to collect \$550,000 in life insurance proceeds. The Defendant's plan included buying her codefendant a new Cadillac or Lincoln in exchange for killing her ex-husband, promises of trips, and a nice home in a wealthy neighborhood.

The record is overwhelming that, but for the Defendant's planning and actions, the victim would be alive today. The Defendant discussed and planned for months with the principal offender, how they would kill the victim. The Defendant checked on the status of the insurance policies in order to ensure that she would be able to collect the proceeds, and advised the principal offender of the status of the policies. The Defendant then transported the principal offender in the Aggravated Murder from prison to a predetermined location, in order to engage in love making before the murder.

The Defendant fed the principal offender prior to the crime. The Defendant provided the principal offender with gloves, a ski mask, murder weapon and hideout after the Aggravated Murder, all as planned and discussed prior to the Aggravated Murder.

The Defendant gave the principal offender entry into the residence of the victim for the sole and exclusive purpose of killing the victim. This plan was clearly discussed in both the letters, and recorded telephone conversations, including the last telephone call on December 8, 2001, the day before the principal offender was released from prison. The Defendant failed to advise police of her relationship with the principal offender until she was confronted with the evidence of the relationship by the police. And prior to being confronted by the existence of this relationship, the Defendant gave the police a number of red herrings implicating a number of potential suspects, but never mentioned the relationship with the principal offender, and her discussions with him regarding the Aggravated Murder of Robert Fingerhut.

The Court gives very slight weight to the fact that the Defendant indicates in her letters that the victim may have been physically abusive to her. This factor is pursuant to Section 2929.04(B)(1)(2). However, the existence of this

factor is given very slight weight due to the fact that it is unsubstantiated, and even if it were true, would not warrant the Defendant's action in this case.

The Court gives very little weight to the Defendant's unsworn statement. During the course of her unsworn statement, the Defendant apologized to her Defense team and thanked them for the hard work. The few positive things gleaned from this statement were overshadowed by the Defendant's personal attacks, and statements that were clearly contrary to the evidence. The Defendant denied guilt and personally attacked the jurors by claiming they were not a Jury of her peers.

The Defendant accused the lead investigator as being motivated solely by career advancement and accusing him of obstruction of justice and perjury. The Defendant referred to the other investigators as lackeys and claimed that one member of the Prosecution team was anti-Semitic and racist.

The Defendant also chastised jurors for being uninformed about current events. The Defendant also stated to the Jury that she and the victim had a loving relationship, and planned to live happily ever after.

These statements are in direct contravention of her statements in the letters and the phone calls expressing her

desire and wishes that the victim meet an untimely death, and her desire to marry and live with Nathaniel Jackson.

The Defendant also appeared to brag to the Jury that she and the deceased have earned over \$200,000 per year and that the \$550,000 in life insurance proceeds was of little value to her, because that sum would only sustain her for a few years. It is difficult for this Court or any finder of fact to give any weight to such a statement.

Pursuant to Section 2929.04(A)(7), the Court will give very slight weight to the Defendant's behavior during the course of this trial. The Defendant was courteous, pleasant and properly addressed the Court at all times. The Defendant appeared intelligent and interested in the proceedings and appeared to assist in her defense at all times. The Defendant presented no security problems to this Court and those who transported her to Court each day.

Now the Court has carefully and independently weighed the accumulation of all of the mitigating factors against each aggravating circumstance separately, as to each of the two specifications. In other words, the Court has weighed the evidence twice, first the Court weighed all of the mitigating factors against the aggravating circumstances surrounding the aggravated burglary, and then the Court engaged in a second

weighing, whereby the Court again weighed all of the mitigating factors against the aggravating circumstances surrounding the aggravating robbery.

With respect to the first weighing of the aggravating circumstances relating to the aggravated burglary against all of the mitigating factors, this Court finds that the aggravating circumstances not only outweigh the mitigating factors by proof beyond a reasonable doubt, but in fact, they almost completely overshadow them.

The legislature of the State of Ohio, has recognized that under certain circumstances, the death penalty is an appropriate sanction to a Defendant who commits an Aggravated Murder during the commission of certain felonies. In the case at bar, the underlying felonies were aggravated burglary and aggravated robbery. In this particular case, the Court accords substantial weight to the aggravated burglary specification in the weighing process.

In order to prove an aggravated burglary, the State is required to prove that a Defendant trespassed in an occupied structure, for the purpose of committing a criminal offense. In this particular case, the Defendant purposely had her codefendant trespass in the occupied structure of Robert S. Fingerhut, with the specific purpose of committing

an Aggravated Murder, which had been meticulously planned over a number of months with prior calculation and design.

Under the facts of this case, this Court cannot see any other form of aggravated burglary where the weight of this particular aggravating circumstance could ever be greater. The evidence reveals that the aggravated burglary was committed for the sole purpose of killing Robert S. Fingerhut, pursuant to a planned and methodical execution scheme designed by the Defendant and her codefendant and whereby the Defendant would collect \$550,000 in insurance proceeds. This is a most heinous form of aggravated burglary and is entitled to great weight.

In this Court's view, this aggravating circumstance standing alone, outweighs all of the mitigating evidence in this case. Therefore, with respect to Specification One to Count One, this Court concurs with the Jury's recommendation, and finds that the death sentence is an appropriate penalty.

With respect to the aggravating circumstances of the aggravated robbery, the Court concedes that this offense is not quite heinous as the circumstances surrounding those concerned with the aggravated burglary; however, the aggravated robbery was clearly committed to facilitate the escape from the Aggravated Murder, and is extremely close to

being the worst form of aggravated robbery. This statement is galvanized by the fact that the aggravated robbery was planned by the Defendant to be part of a kidnapping, whereby the victim was to be removed, taken to a different location where the Defendant would then engage in oral sex with her codefendant, while the Defendant was forced to watch prior to his execution. This plot is clearly spelled out in the letters between the Defendant and codefendant. The plan clearly went awry when the victim engaged the codefendant in the struggle at the residence. Again this scheme was hatched for the purpose of the Defendant collecting the \$550,000 in insurance proceeds.

Therefore, the aggravating circumstance specification relating to the aggravated robbery, when weighed against all of the mitigating factors in this case, clearly and undeniably outweighs by proof beyond a reasonable doubt, all of the mitigating evidence in this case.

Therefore, with respect to Specification Two to Count One, the Court concurs with the Jury's recommendation and finds that the death sentence is the appropriate penalty. The Court recognizes that the death sentence recommendation by the Jury must be merged and the Court does hereby merge the death sentences for purposes of sentencing.

For the reasons set forth herein, and after independently and separately weighing the aggravating circumstances against all of the mitigating factors, it is the judgment of this Court that the Jury's recommendation is accepted, and the Court does find that the sentence of death is the appropriate penalty in this case.

10/29/07

DATE

John M. Stuard

JUDGE JOHN M. STUARD

↓
10-29-07
 Copies to:
 Pres.
 D. Dougherty

TO THE CLERK OF COURT: YOU ARE ORDERED TO SEND
 COPIES OF THIS JUDGMENT ON ALL COUNSEL OF RECORD
 OR UPON THE "REPRESENTED PART"
 WITH BY ORDER John M. Stuard
 JUDGE

2007 OCT 29 P 4:17
 CLE
 CTS


IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,)	CASE NO. 01-CR-793
)	
Plaintiff)	
)	DEATH PENALTY
)	
-vs-)	WRIT TO CONVEY PRISONER
)	FOR EXECUTION OF PENALTY
DONNA MARIE ROBERTS,)	
)	
Defendant)	

A Writ is hereby directed to Thomas Altieri, Sheriff of Trumbull County, Ohio for conveyance of DONNA MARIE ROBERTS to the Ohio Reformatory for Women at Marysville, Ohio, and deliverance to its warden. Said Writ is issued pursuant to Section 2949.21 of the Ohio Revised Code for the execution of the death penalty against Donna Marie Roberts on October 28, 2008.

✓
11-6-07
Issued to
Sheriff

11/6/07
DATED


HONORABLE JOHN M. STUARD
JUDGE, COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

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2007 NOV -6 PM 11:31
CLERK OF COURTS

207
SCA

**IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO**

STATE OF OHIO,

Plaintiff

-VS-

**DONNA MARIE ROBERTS,
INMATE #W055276**

Defendant

CASE NO. 01-CR-793

JUDGE JOHN M. STUARD

DEATH PENALTY

SENTENCED TO OHIO REFORMATORY FOR WOMEN

ENTRY ON RE-SENTENCE

On October 29, 2007, the Defendant having been brought into Court, and being fully advised in the premises and being represented by counsel, Attorney David L. Doughten and Attorney Robert A. Dixon, and the State of Ohio being represented by Assistant Prosecuting Attorney Christopher D. Becker and Assistant Prosecuting Attorney Kenneth N. Bailey, for purposes of re-sentencing, pursuant a remand from the Ohio Supreme Court.

On 8th day of April, 2003, the Defendant was brought into Court for a trial before a petit jury and after due deliberation was found guilty on May 28, 2003 of Count One: Complicity to Commit Aggravated Murder (O.R.C. §§2923.03(A)(2), 2903.01(A) and 2941.14(C)) of Robert S. Fingerhut, with two (2) separate Specifications of Aggravating Circumstances, to wit: Specification No. 1: Aggravated Burglary (O.R.C. §2929.04(A)(7)), and Specification No. 2: Aggravated Robbery (O.R.C. §2929.04(A)(7)); Count Two: Complicity to Commit Aggravated Murder (O.R.C. §§ 2923.03(A)(2), 2903.01(B) and 2941.14(C)) of Robert S. Fingerhut, with two (2) separate Specifications of Aggravating Circumstances, to wit: Specification No. 1: Aggravated Burglary (O.R.C. §2929.04(A)(7)),

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SCA
208

and Specification No. 2: Aggravated Robbery (O.R.C. 2929.04(A)(7)); Count Three: Complicity to Commit Aggravated Burglary (F1) With Firearm Specification (O.R.C. §2923.03(A)(2), 2911.11.(A)(1)(2) and 2941.145); and Count Four: Complicity to Commit Aggravated Robbery (F1) With Firearm Specification (O.R.C. §2923.03(A)(2), 2911.01(A)(1)(3) and 2941.145). Thereafter, Count Two was removed from the Jury pursuant to a Motion to Dismiss by the State.

On June 4, 2003, the Defendant having been brought into Court to give evidence in mitigation on Count One of the indictment, and after arguments of counsel and instructions of law, and after due deliberation, it was the finding and recommendation of the Jury on June 4, 2003, that the sentence of death be imposed on the Defendant. The original sentencing hearing was held on June 20, 2003.

On October 29, 2007, pursuant to the Ohio Supreme Court's opinion in State v. Roberts (2006) 110 Oh. St 3d 71, the Defendant's re-sentencing hearing was held and she was sentenced to Death on October 28, 2008 on Count One; and imprisoned therein for the stated prison term of ten (10) years on Count Three; plus a mandatory term of three (3) years on the Firearm Specification to be served prior to and consecutive to the sentence imposed in Count Three; ten (10) years on Count Four, plus a mandatory term of three (3) years on the Firearm Specification to be served prior to and consecutive to the sentence imposed in Count Four, sentence in Count Four to be served consecutively to the sentence imposed on Count Three. Firearm Specifications in Count Three and Count Four shall merge as one sentence in Count Three as a matter of law.

The Court further advised the Defendant of her right to appeal pursuant to Criminal Rule 32(B).

The OHIO REFORMATORY FOR WOMEN shall take note that the Defendant has been incarcerated in the Trumbull County Jail pursuant to these charges from December 21, 2001 to June 26, 2003, and in the Ohio Reformatory for Women from June 26, 2003 to date.

11/6/07
DATED

John M. Stuard
HONORABLE JOHN M. STUARD
JUDGE, COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

THE CLERK OF COURTS IS HEREBY ORDERED TO SERVE COPIES OF THIS ENTRY TO ALL COUNSEL OF RECORD AND THE BUREAU OF SENTENCE COMPUTATION, P. O. BOX 450, ORIENT, OHIO 43146.

You are hereby notified that you have been convicted of a felony of violence and pursuant to Section 2923.13 of the Ohio Revised Code, you are prohibited from acquiring, having, carrying or using any firearm or dangerous ordinance.

✓
11-6-07
Copies to:
Pros.
D. Dougherty
Bureau of Sentence Computation

2007 NOV -6 AM 11:31
CLERK OF COURTS

VOL 1154 PAGE 306

EXECUTION FOR COSTS IN FELONY

Revised Code, Section 2949.15

COURT OF COMMON PLEAS, TRUMBULL COUNTY, WARREN, OHIO

2001 CR 00793

STATE OF OHIO

VS.

DONNA MARIE ROBERTS

TO THE SHERIFF OF SAID COUNTY:

YOU ARE HEREBY COMMANDED, THAT OF THE GOODS AND CHATTELS, AND FOR WANT THEREOF, THEN OF THE LANDS AND TENEMENTS OF

DONNA MARIE ROBERTS

IN YOUR COUNTY, WHEREOF WAS CONVICTED, AS APPEARS OF RECORD, WITH INTEREST THEREON FROM THE FIRST DAY OF THE TERM AFORESAID; ALSO YOU CAUSE TO BE MADE THE COSTS OF EXECUTION AND INCREASE COSTS THAT ACCRUE.

HEREOF FAIL NOT, BUT OF THIS WRIT AND YOUR PROCEEDINGS ENDORSED HEREON, MAKE DUE RETURN, WITHIN TEN (10) DAYS FROM THE DATE HEREOF.

IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SET MY HAND AND
AFFIXED THE SEAL OF SAID COURT AT
TRUMBULL COUNTY, WARREN, OHIO
November 5, 2007

KAREN INFANTE ALLEN,
Clerk of Courts

By: **NANCY WINGARD**, Deputy Clerk

2044
206

2001 CR 00793

RETURN

TRUMBULL COUNTY
COMMON PLEAS COURT
Trumbull County, Warren, Ohio

RECEIVED THIS WRIT ON THE 6 DAY
OF NOV, 2009, AT 11:15
O'CLOCK A.M., AND ON THE _____
DAY OF _____, 20____,

STATE OF OHIO

Vs.

DONNA MARIE ROBERTS

T. L. ACTIERE
SHERIFF

By: A. GEORGADIS

DEPUTY

EXECUTION FOR COSTS

FEEES

Mileage:	\$
Service:	\$ <u>5.00</u>
Other:	\$
_____	\$
TOTAL:	\$ <u>5.00</u>

RETURNED AND FILED

_____, 20____

KAREN INFANTE ALLEN,
Clerk of Courts

_____, OHIO

_____, 20____

By: _____

DEPUTY CLERK

FILED
2007 NOV -6 PM 3:2
CLERK OF COURTS

WARRANT TO CONVEY

COURT OF COMMON PLEAS, TRUMBULL COUNTY, WARREN, OHIO

2001 CR 00793

STATE OF OHIO

VS.

DONNA MARIE ROBERTS

TO THE SHERIFF OF SAID COUNTY:

WHEREAS, OUR SAID COURT, BEGUN AND HELD AT WARREN, OHIO IN SAID COUNTY ON OCTOBER 29, 2007, THE SAID DEFENDANT **DONNA MARIE ROBERTS** WAS INDICTED FOR:

Agg. Murder,

AND WAS SENTENCED BY THE COURT TO:

OHIO REFORMATORY FOR WOMEN

YOU ARE THEREFORE HEREBY COMMANDED, TO TAKE CHARGE OF AND CONVEY THE SAID **DONNA MARIE ROBERTS** TO ***OHIO REFORMATORY FOR WOMEN*** AT MARYSVILLE, OHIO

AND MAKE DUE RETURN OF YOUR PROCEEDING HEREIN TO THIS OFFICE FORTHWITH.

IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SET MY HAND AND
AFFIXED THE SEAL OF SAID COURT AT
TRUMBULL COUNTY, WARREN, OHIO
November 5, 2007

KAREN INFANTE ALLEN,
Clerk of Courts

By: **NANCY WINGARD**, Deputy Clerk

2054
208A

2001 CR 00793

RETURN

TRUMBULL COUNTY
COMMON PLEAS COURT
Trumbull County, Warren, Ohio

STATE OF OHIO

Vs.

DONNA MARIE ROBERTS

RECEIVED THIS WRIT ON THE 5 DAY
OF November, 2007, AT 1115
O'CLOCK A.M., AND ON THE 7
DAY OF November, 2007
I EXECUTED THE SAME BY CONVEYING
THE PERSON NAMED TO THE PLACE
DESIGNATED AS SHOWN BY THE
RECEIPT ENDORSED HEREON.

WARRANT TO CONVEY

SHERIFF

By: William J. [Signature]
DEPUTY

RETURNED AND FILED

_____, 20____

KAREN INFANTE ALLEN,
Clerk of Courts

By: _____
DEPUTY CLERK

FEES

Mileage:	\$ 230.50
Service:	\$ 10.00
Other:	\$
_____	\$
TOTAL:	\$ 240.50

_____, OHIO

_____, 20____

RECEIVED THIS DAY FROM _____
SHERIFF OF _____
COUNTY, OHIO, THE PRISONER NAMED
IN THE WITHIN WARRANT.

M. Brinkshaw [Signature]
Superintendent

2007 NOV - 7 11 54 AM

MOTION, ENTRY AND CERTIFICATION FOR APPOINTED COUNSEL FEES

In the _____ Court of _____, Common Pleas, Ohio
 Plaintiff: _____ State of Ohio Current Case No. 2001 91-CR-793
 V. _____ Reference Case No. (if app.) _____
 Defendant / Party Represented _____
 In re: _____ Judge _____ John M. Stuard

MOTION FOR APPROVAL OF PAYMENT OF APPOINTED COUNSEL FEES AND EXPENSES

The undersigned having been appointed counsel for the party represented moves this Court for an order approving payment of fees and expenses as indicated in the itemized statement herein. I certify that I have received no compensation in connection with providing representation in this case other than that described in this motion or which has been approved by the Court in a previous motion, nor have any fees and expenses in this motion been duplicated on any other motion. I, or an attorney under my supervision, have performed all legal services itemized in this motion.

☐ Periodic Billing (check if this is a periodic bill)

As attorney/guardian ad litem of record, I was appointed on January 17, 2007. This case terminated and/or was disposed of on November 7, 2007. I am submitting this application on November 8, 2007.

Name Robert A. Dixon Signature [Signature]
 Address 4403 St. Clair Ave., Cleveland, OH, 44103 SSN/Tax ID [REDACTED] 0373
 Address _____ City / State / Zip _____ OSC Reg. No. 0022466

SUMMARY OF CHARGES, HOURS, EXPENSES, AND BILLING

OFFENSE/CHARGE/MATTER	ORC/CITY CODE	DEGREE	DISPOSITION
1.) Aggravated Murder	2903.01	F	Other

*List only the three most serious charges beginning with the one of the greatest severity and continuing in descending order.

Grand Total
Hours
From Other Side:

OUT-OF-COURT	IN-COURT			GRAND TOTAL
	PRE-TRIAL HEARINGS	ALL OTHER IN-COURT	IN-COURT TOTAL	
68.70	4.80	0.00	4.80	73.50

☐ Flat Fee Hrs:In 4.80 X Rate \$50.00 = \$240.00 Total Fees \$2,988.00
☐ Min. Fee Hrs:Out 68.70 X Rate \$40.00 = \$2,748.00 Expenses \$75.84 Total \$3,063.84

JUDGMENT ENTRY

The Court finds that counsel performed the legal services set forth on the itemized statement on the reverse hereof, and that the fees and expenses set forth on this statement are reasonable, and are in accordance with the resolution of the Board of County Commissioners of Trumbull County, Ohio relating to payment of appointed counsel, that all rules and standards of the Ohio Public Defender Commission and State Public Defender have been met.

IT IS THEREFORE ORDERED that counsel fees and expenses be, and are hereby approved, in the amount of \$3,063.84. It is further ordered that the said amount be, and hereby is, certified by the Court to the County Auditor for payment.

☐ Extraordinary fees granted (copy of journal entry attached)

Judge

Signature [Signature]

Date 11/14/07

CERTIFICATION

The County Auditor, in executing this certification, attests to the accuracy of the figures contained herein. A subsequent audit by the Ohio Public Defender Commission and/or Auditor of the State which reveals unallowable or excessive costs may result in future adjustments against reimbursement or repayment of audit exceptions to the Ohio Public Defender Commission.

County Number 78 Warrant Number _____ Warrant Date _____
 County Auditor _____

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FINA • DISCLOSURE / AFFIDAVIT OF • NCY

I. PERSONAL INFORMATION											
Name <u>Donna Roberts</u>			Case No. <u>01-CR-293</u>		D.O.B. _____						
Mailing Address <u>Destin Road - Marysville</u>			City <u>Marysville</u>	State <u>OH</u>	Zip <u>43046</u>						
Residence (if different from above) <u>1477 Collins Avenue</u>			Phone () _____								
			Message Phone (within 48 hours) () _____								
II. OTHER PERSONS LIVING IN HOUSEHOLD											
Name	Age	Relationship	Name	Age	Relationship						
1) _____	_____	_____	3) _____	_____	_____						
2) _____	_____	_____	4) _____	_____	_____						
III. MONTHLY INCOME / EMPLOYMENT INFORMATION											
Type of Income	Self	Spouse	Household Members	Total							
Employment (Gross)											
Unemployment											
Workers' Comp.											
Pension											
Social Security											
Child Support											
Work First/TANF											
Disability											
Other											
Other											
Employer's Name (for all household members)			SUBTOTAL A		\$ <u>0</u>						
Address _____					Phone () _____						
IV. ALLOWABLE MONTHLY EXPENSES			V. TOTAL INCOME								
Type of Expense	Amount	<p style="text-align: center;">Total Monthly Income - Total Allowable Expenses = Total Income</p> <table border="1" style="margin: auto; border-collapse: collapse;"> <tr> <td>SUBTOTAL A</td> <td>\$ <u>0</u></td> </tr> <tr> <td>- SUBTOTAL B</td> <td>- \$ <u>0</u></td> </tr> <tr> <td>GRAND TOTAL C</td> <td>\$ <u>0</u></td> </tr> </table>				SUBTOTAL A	\$ <u>0</u>	- SUBTOTAL B	- \$ <u>0</u>	GRAND TOTAL C	\$ <u>0</u>
SUBTOTAL A	\$ <u>0</u>										
- SUBTOTAL B	- \$ <u>0</u>										
GRAND TOTAL C	\$ <u>0</u>										
Child Support Paid Out											
Child Care (if working only)											
Transportation for Work											
Insurance											
Medical / Dental											
Medical & Associated Costs of Caring for Infirm Family Members											
SUBTOTAL B	\$ _____										
VI. ASSET INFORMATION											
Type of Asset	Describe / Length of Ownership / Make, Model, Year (where applicable)			Estimated Value							
Real Estate / Home	Price: \$ _____	Date Purchased: _____	Equity: _____								
Stocks / Bonds / CD's											
Automobiles											
Trucks / Boats / Motorcycles											
Other Valuable Property											
Cash on Hand											
Money Owed to Applicant											
Other											
Checking Acct. (Bank / Acct. #)											
Savings Acct. (Bank / Acct. #)											
Credit Union (Name / Acct. #)											
			GRAND TOTAL D		\$ <u>0</u>						

VII. MONTHLY LIABILITIES		EXPENSES	GRAND TOTALS	
Type of Liability	Amount			
Rent / Mortgage		Total Monthly Income	Grand Total C	
Food				
Electric				
Gas				
Fuel		Total Assets	Grand Total D	
Telephone				
Cable				
Water / Sewer / Trash				
Credit Cards		Total Monthly Liabilities and Other Expenses	Grand Total E	
Loans				
Taxes Owed				
Other				
GRAND TOTAL E				

IX. AFFIDAVIT OF INDIGENCY

I, Donna Roberts being duly sworn, say:

1. I am financially unable to retain private counsel without substantial hardship to me or my family.
2. I understand that I must inform my attorney if my financial situation should change before the disposition of my case.
3. I understand that if it is determined by the county, or by the Court, that legal representation was provided for me to which I was not entitled, I may be required to reimburse the county for the costs of representation provided. Any action filed by the county to collect legal fees hereunder must be brought within two years from the last date legal representation was provided.
4. I understand that I am subject to criminal charges for providing false financial information in connection with the above application for legal representation pursuant to Ohio Revised Code Sections 120.05 and 2921.13(a)(13), (D)(4).
5. I hereby certify that the information I have provided on this financial disclosure form is true to the best of my knowledge.

X. Donna Roberts 9-4-07
 Client's Signature Date

Notary Public:

Subscribed and duly sworn before me according to law, by the above named applicant this 4 day of September, 2007 at Marysville County of Union and State of Ohio.

David L. Doughten
 Notary's Signature

DAVID L. DOUGHTEN, Attorney
 Notary Public, State of Ohio
 My Comm. Has No Expiration Date
 Section 147.03 R.C.

X. JUDGE CERTIFICATION

I hereby certify that above-noted client is unable to fill out and/or sign this financial disclosure/affidavit for the following reason: _____

I have determined that the applicant meets the criteria for receiving court appointed counsel.

 Judge's Signature

 Date

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO,

Respondent,

-VS-

DONNA ROBERTS,

Petitioner.

CASE NO. 2001 CR 0793

JUDGE JOHN M. STUARD

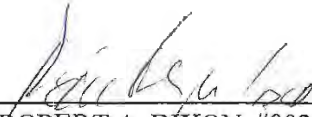
MOTION TO APPOINT
APPELLATE COUNSEL

2001 DEC -3 P 12:59

TRUMBULL COUNTY
COURTS

Petitioner Donna Roberts moves this Honorable Court to appoint appellate counsel to the Ohio Supreme Court for the purposes of appealing her sentence of death. This court entered the journal entry for the sentencing on November 6, 2007. Undersigned counsel, Doughten, would be willing to accept such an appointment. Mr. Dixon cannot accept appointment due to his anticipated schedule. Counsel requests the appointment of Jeffrey J. Helmick, Registration No. 0040197, 1119 Adams Street, Toledo, Ohio 43604. Mr. Helmick is death qualified in both trial and appellate representation. He has agreed to accept the appointment if authorized by this court.

Respectfully Submitted,


ROBERT A. DIXON #0022466
4403 St. Clair Avenue
Cleveland, OH 44103
(216) 432-1992
dixonlaws@aol.com

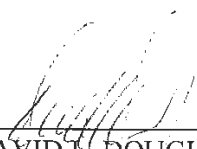

DAVID L. DOUGHTEN #0002847
4403 St. Clair Avenue
Cleveland OH 44103
(216) 361-1112
ddoughten@yahoo.com

Counsel for Defendant Donna Roberts

210

CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Motion was served upon Dennis Watkins, Trumbull County Prosecutor and/ Christopher Becker, Esq. Assistant Trumbull County Prosecutor, Administration Building, 160 High Street, Warren, Ohio 44481, by Regular U. S. mail on this 20 day of November, 2007.



DAVID E. DOUGHTEN
Counsel for Petitioner

The Supreme Court of Ohio

OFFICE OF THE CLERK

65 SOUTH FRONT STREET, COLUMBUS, OH 43215-3431

CHIEF JUSTICE
THOMAS J. MOYER

CLERK OF THE COURT
MARCIA J. MENGEL

JUSTICES
PAUL E. PFEIFER
EVELYN LUNDBERG STRATTON
MAUREEN O'CONNOR
TERRENCE O'DONNELL
JUDITH ANN LANZINGER
ROBERT R. CUPP

TELEPHONE 614.387.9530
FACSIMILE 614.387.9539
www.supremecourtsohio.gov

NOTICE

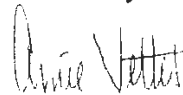
To the Clerk of Courts:

If the requested record will be hand-delivered, please contact me at (614) 387-9552 at least 24 hours in advance so I can make arrangements with building security regarding your arrival.

If you choose to mail the requested record, please limit each parcel or box to 50 pounds and ensure that each package is sufficiently secure to prevent loss of or damage to contents.

If you have any questions or require additional information, please feel free to contact me at the above-listed phone number. Thank you for your assistance and cooperation.

Sincerely,



Amie Vetter
Records Assistant

The Supreme Court of Ohio

FILED

DEC 12 2007

CLERK OF COURT
SUPREME COURT OF OHIO

To the Clerk of Court of Common Pleas for

Trumbull _____ County,

Warren _____, Ohio

State of Ohio _____

v.

Donna Marie Roberts _____

ORDER TO CERTIFY RECORD IN DEATH PENALTY CASE

S.C. Case No. _____ 07-2288

C.P. Case No. _____ 01CR7

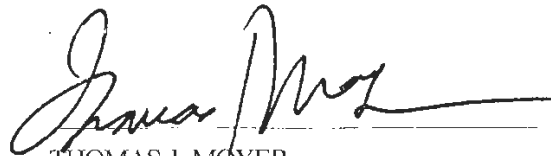
2008 DEC 14 P 2:50

You are hereby ORDERED, pursuant to Rule XIX, Section 4, of the Rules of Practice of the Supreme Court of Ohio, to prepare and forward the record in the above-captioned case to the Clerk's Office of the Supreme Court, no later than February 11, 2008, unless the Supreme Court grants an extension of time under Rule XIX, Section 4(C)(1).

Pursuant to Rule XIX, Section 3(A), the record shall consist of the following:

- The original papers filed in the trial court and exhibits to those papers;
- The transcript of proceedings, including all exhibits, and computer diskettes of the transcript, if available; and
- A certified copy of the docket and journal entries prepared by the clerk of the trial court.

You are further ORDERED, pursuant to Rule XIX, Section 4(B)(1), to number the documents and exhibits comprising the record; to prepare an index of the documents and exhibits, correspondingly numbered and identified with reasonable definiteness; to briefly describe all exhibits listed in the index; and to send a copy of the index to all counsel of record in the case and transmit the index with the record to the Clerk of the Supreme Court.


THOMAS J. MOYER
Chief Justice

210 A

MOTION, ENTRY, D CERTIFICATION FOR APPOINTEE		COUNSEL FEES <i>Shuard</i>	
In the <u>Common Pleas</u>	Court of <u>Trumbull</u> , Ohio		
Plaintiff: <u>State of Ohio</u>	Current Case No. <u>2001 CR 793</u>		
V. <u>Donna Roberts</u>	Reference Case No. (if app.) _____		
Defendant / Party Represented	<input checked="" type="checkbox"/> Capital Offense Case (check if this is a Capital Offense case)		
In re: _____	<input type="checkbox"/> Guardian Ad Litem (check if appointed as GAL)		
JUDGE _____			

MOTION FOR APPROVAL OF PAYMENT OF APPOINTED COUNSEL FEES AND EXPENSES

The undersigned having been appointed counsel for the party represented moves this Court for an order approving payment of fees and expenses as indicated in the itemized statement herein. I certify that I have received no compensation in connection with providing representation in this case other than that described in this motion or which has been approved by the Court in a previous motion, nor have any fees and expenses in this motion been duplicated on any other motion. I, or an attorney under my supervision, have performed all legal services itemized in this motion.

☐ Periodic Billing (check if this is a periodic bill)

As attorney/guardian ad litem of record, I was appointed on November 26, 2006. This case terminated and/or was disposed of on November 6, 2007. I am submitting this application on December 11, 2007.

Name David L. Doughten Signature *[Signature]*

Address 4403 St. Clair Ave, Aurora OH 44202 City / State / Zip Aurora OH 44202

SSN/Tax ID 296429067 OSC Reg. No. 0002847

SUMMARY OF CHARGES, HOURS, EXPENSES, AND BILLING			
OFFENSE/CHARGE/MATTER	ORC/CITY CODE	DEGREE	DISPOSITION
1.) Agg. Murder With Death Specs	2903.01WS	F	Other

**List only the three most serious charges beginning with the one of the greatest severity and continuing in descending order.*

Grand Total Hours

From Other Side:

OUT-OF-COURT	IN-COURT			GRAND TOTAL
	PRE-TRIAL HEARINGS	ALL OTHER IN-COURT	IN-COURT TOTAL	
114.80	0.00	9.20	9.20	124.00

☐ Flat Fee Hrs:In 9.20 X Rate \$50.00 = \$460.00 Total Fees \$5,052.00

☐ Min. Fee Hrs:Out 114.80 X Rate \$40.00 = \$4,592.00 Expenses \$0.00 Total \$5,052.00

JUDGMENT ENTRY

The Court finds that counsel performed the legal services set forth on the itemized statement on the reverse hereof, and that the fees and expenses set forth on this statement are reasonable, and are in accordance with the resolution of the Board of County Commissioners of Trumbull County, Ohio relating to payment of appointed counsel, that all rules and standards of the Ohio Public Defender Commission and State Public Defender have been met.

IT IS THEREFORE ORDERED that counsel fees and expenses be, and are hereby approved, in the amount of \$5,052.00. It is further ordered that the said amount be, and hereby is, certified by the Court to the County Auditor for payment.

☐ Extraordinary fees granted (copy of journal entry attached) Judge *[Signature]* Date 1/7/08

CERTIFICATION

The County Auditor, in executing this certification, attests to the accuracy of the figures contained herein. A subsequent audit by the Ohio Public Defender Commission and/or Auditor of the State which reveals unallowable or excessive costs may result in future adjustments against reimbursement or repayment of audit exceptions to the Ohio Public Defender Commission.

County Number 78 Warrant Number _____ Warrant Date _____

County Auditor 1160 209

FINANCIAL DISCLOSURE / AFFIDAVIT OF INDEMNITY

I. PERSONAL INFORMATION											
Name <u>Donna Roberts # 55276</u>		Case No. <u>2001CR730</u>		D.O.B. <u>05-22-44</u>							
Mailing Address <u>1429 Collins Avenue</u>		City <u>Marysville</u>	State <u>OH</u>	Zip <u>43040</u>	Phone ()						
Residence (if different from above)				Message Phone (within 48 hours) ()							
II. OTHER PERSONS LIVING IN HOUSEHOLD											
Name	Age	Relationship	Name	Age	Relationship						
1)			3)								
2)			4)								
III. MONTHLY INCOME / EMPLOYMENT INFORMATION											
Type of Income	Self	Spouse	Household Members	Total							
Employment (Gross)											
Unemployment											
Workers' Comp.											
Pension											
Social Security											
Child Support											
Work First/TANF											
Disability											
Other											
Other											
Employer's Name (for all household members)			SUBTOTAL A		\$ <u>0</u>						
Address					Phone ()						
IV. ALLOWABLE MONTHLY EXPENSES			V. TOTAL INCOME								
Type of Expense	Amount	<div style="border: 1px solid black; padding: 5px;"> <p>Total Monthly Income - Total Allowable Expenses = Total Income</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>SUBTOTAL A</td> <td>\$ <u>0</u></td> </tr> <tr> <td>- SUBTOTAL B</td> <td>- \$ <u>0</u></td> </tr> <tr> <td>GRAND TOTAL C</td> <td>\$ <u>0</u></td> </tr> </table> </div>				SUBTOTAL A	\$ <u>0</u>	- SUBTOTAL B	- \$ <u>0</u>	GRAND TOTAL C	\$ <u>0</u>
SUBTOTAL A	\$ <u>0</u>										
- SUBTOTAL B	- \$ <u>0</u>										
GRAND TOTAL C	\$ <u>0</u>										
Child Support Paid Out											
Child Care (if working only)											
Transportation for Work											
Insurance											
Medical / Dental											
Medical & Associated Costs of Caring for Infirm Family Members											
SUBTOTAL B	\$ <u>0</u>										
VI. ASSET INFORMATION											
Type of Asset	Describe / Length of Ownership / Make, Model, Year (where applicable)			Estimated Value							
Real Estate / Home	Price: \$	Date Purchased:	Equity:								
Stocks / Bonds / CD's											
Automobiles											
Trucks / Boats / Motorcycles											
Other Valuable Property											
Cash on Hand											
Money Owed to Applicant											
Other											
Checking Acct. (Bank / Acct. #)											
Savings Acct. (Bank / Acct. #)											
Credit Union (Name / Acct. #)											
GRAND TOTAL D				\$ <u>0</u>							

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VII. MONTHLY LIABILITIES & OTHER EXPENSES		VIII. GRAND TOTALS	
Type of Liability	Amount		
Rent / Mortgage		Total Monthly Income	Grand Total C
Food			0
Electric			
Gas			
Fuel			
Telephone		Total Assets	Grand Total D
Cable			0
Water / Sewer / Trash			
Credit Cards		Total Monthly Liabilities and Other Expenses	Grand Total E
Loans			0
Taxes Owed			
Other			
GRAND TOTAL E		0	

IX. AFFIDAVIT OF INDIGENCY

I, Donna Roberts being duly sworn, say:

- I am financially unable to retain private counsel without substantial hardship to me or my family.
- I understand that I must inform my attorney if my financial situation should change before the disposition of my case.
- I understand that if it is determined by the county, or by the Court, that legal representation was provided for me to which I was not entitled, I may be required to reimburse the county for the costs of representation provided. Any action filed by the county to collect legal fees hereunder must be brought within two years from the last date legal representation was provided.
- I understand that I am subject to criminal charges for providing false financial information in connection with the above application for legal representation pursuant to Ohio Revised Code Sections 120.05 and 2921.13(a)(13), (D)(4).
- I hereby certify that the information I have provided on this financial disclosure form is true to the best of my knowledge.

Donna Roberts
 Client's Signature

9-4-07
 Date

Notary Public:
 Subscribed and duly sworn before me according to law, by the above named applicant this 4 day of September, 2007 at Marysville County of Union and State of Ohio.

[Signature]
 Notary's Signature

DAVID L. DOUGHTEN, Attorney
 Notary Public, State of Ohio
 My Comm. Has No Expiration Date
 Section 147.03 R.C.

X. JUDGE CERTIFICATION

I hereby certify that above-noted client is unable to fill out and/or sign this financial disclosure/affidavit for the following reason: _____

I have determined that the applicant meets the criteria for receiving court appointed counsel.

 Judge's Signature

 Date

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IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CASE NO. 01-CR-793

STATE OF OHIO,)
)
 PLAINTIFF)
)
 vs.) JUDGMENT ENTRY
)
 DONNA ROBERTS,)
)
 DEFENDANT)

Upon Motion of Defendant, Donna Roberts, this Court appoints Atty. Jeffrey J. Helmick, Registration No. 0040197, 1119 Adams Street, Toledo, OH 43604 to represent Defendant, Donna Roberts, in case no. 2001-CR-793 for purposes of appeal.

Said Attorney Helmick is requested to file a Notice of Appearance in this matter. This appointment is made due to Defendant's request and is based on her affidavit of indigency.

IT IS SO ORDERED, ADJUDGED and DECREED.

DATE

JUDGE JOHN M. STUARD

TO THE CLERK OF COURTS: YOU ARE ORDERED TO SERVE
COPIES OF THIS JUDGMENT ON ALL COUNSEL OF RECORD
OR UPON THE PARTY IF UNREPRESENTED FORTH-
WITH BY ORDER OF THE COURT.

JUDGE

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TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES
TO THE SUPREME COURT OF OHIO
ELEVENTH DISTRICT COURT OF APPEALS, TRUMBULL COUNTY, OHIO

COURT OF APPEALS CASE NO.:

CIVIL CASE NO: 2001 CR 793

STATE OF OHIO

Plaintiff(s)-

VS

DONNA MARIE ROBERTS

Defendant(s)-

ATTORNEYS:

KENNETH N BAILEY

0023228

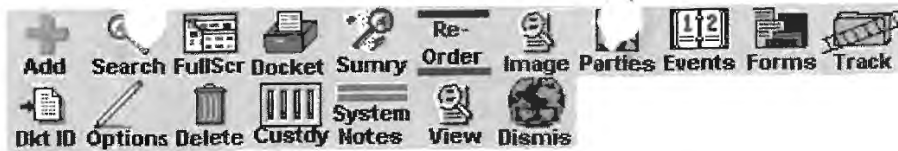
WARREN OH 44481

J. GERALD INGRAM

0000007887

7330 MARKET ST

YOUNGSTOWN, OH 44512



2001 CR 00793

STATE OF OHIO -VS- ROBERTS, DONNA MARIE

JMS

Search Criteria

Docket Entry

Images

All Dockets

Participant

Display Option Exclude Non Display Dockets



Begin Date

SortAscending



End Date

Search Results

Docket Date	Referenc e	Description	Amt Owed/ Amount Due	
			Amt Dism/Credit	Amount Due
12/20/2001		FILING FEE FOR EACH CAUSE OF ACTION AND EACH UNDERTAKING Amount Owed: \$27.00 Paid Before Conversion: \$0.00 Receipt Number:	27.00	27.00
12/20/2001		PRISONER FEES Amount Owed: \$11.00 Paid Before Conversion: \$0.00 Receipt Number:	11.00	11.00
12/20/2001		GENERAL REVENUE FUND Amount Owed: \$11.00 Paid Before Conversion: \$0.00 Receipt Number:	11.00	11.00
12/20/2001		VICTIMS OF CRIME Amount Owed: \$30.00 Paid Before Conversion: \$0.00 Receipt Number:	30.00	30.00
12/20/2001		SPECIAL PROJECTS JUDGES Amount Owed: \$50.00 Paid Before Conversion: \$0.00 Receipt Number:	50.00	50.00
12/21/2001 1		WARRANT ON COMPLAINT AND RETURN OF SERVICE FILED.		
12/21/2001 1		COMPLAINT AND AFFIDAVIT FILED UNDER SEAL BY ORDER OF THE COURT		
12/21/2001 2		DEFT APPEARED WITH COUNSEL. NO PLEA ENTERED. NO BOND SET.		
12/26/2001		MOTION TO INTERVENE WITH SERVICE FILED BY ATTY STEPHEN BOLTON.		
12/28/2001		PRELIMINARY HEARING 12/31/2001 11:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
12/28/2001 4		DIRECT PRESENTMENT FOR CT 1: AGG MURDER (F) W/SPECS OF AGG CIRCUMSTANCES CT 2: AGG MURDER (F) W/SPECS OF AGG CIRCUMSTANCES CT 3: AGG BURGLARY (F1) W/FIREARM SPEC CT 4: AGG ROBBERY (F1) W/FIREARM SPEC		
12/28/2001		INDICTMENT AND SUMMONS FILED BY PROSECUTOR'S OFFICE AND COPIES OF SAME ISSUED TO SHERIFF. Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
12/28/2001 5		MOTION OF THE VINDICATOR PRINTING CO IN OPPOSITION TO DEFT DONNA M ROBERTS MOTION TO SEAL COURT RECORDS WITH SERVICE FILED BY ATTY DAVID MARBURGER.		
12/28/2001 6		NOTICE OF APPEARANCE AS CO-COUNSEL WITH SERVICE FILED BY ATTY JOHN JUHASZ		
12/28/2001 7		DEFTS MOTION AND MEMORANDUM TO HOLD		

		AFFIDAVIT A		
		EXHIBITS UNDER SEAL WITH SERVICE FILED BY		
		ATTY J		
		GERALD INGRAM		
12/31/2001	8	NOT GUILTY PLEA TO ARRAIGNMENT ON		
		INDICTMENT &		
12/31/2001	9	SUMMONS NO BOND SET		
		SUMMONS ON INDICTMENT RETURNED BY SHERIFF		
		ON DONNA MARIE ROBERTS	2.00	2.00
		SHERIFF ALTIERE		
		Amount Owed: \$2.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
12/31/2001	10	CAPIAS RETURNED AND ENDORSED BY SHERIFF ON		
		DONNA MARIE ROBERTS		
		SHERIFF ALTIERE		
1/3/2002		PRE TRIAL 01/30/2002 09:00 AM		
		JUDGE:HON. JOHN M. STUARD LOC:COURT 2		
		(N1-3-02)		
1/4/2002	11	CERTIFIED MAILER NUMBER 0891 801 SENT TO:		
		THE SUPREME COURT OF OHIO	5.00	5.00
		Amount Owed: \$5.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
1/7/2002	12	VICTIM'S RIGHTS NOTIFICATION FILED.		
1/7/2002	13	DEFERNDANT'S NOTICE OF REQUEST FOR DISCOVERY		
		FILED BY DEFENDANT'S ATTORNEY JERRY INGRAM		
		AND		
		JOHN JUHASZ		
1/7/2002	14	DEFENDANT'S MOTION FOR NOTICE OF INTENTION		
		TO USE		
		EVIDENCE FILED BY THE DEFENDANT'S ATTORNEY		
		JERRY INGRAM AND JOHN JUHASZ		
1/14/2002	15	CERTIFIED MAIL NUMBER 891801 RETURNED		
		ENDORSED FROM		
		THE SUPREME COURT OF OHIO ON 1/9/02 BY ?		
2/1/2002		HEARING ON PENDING MOTIONS 05/23/2002		
		01:00 PM		
		BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
2/1/2002		JURY TRIAL 11/18/2002 09:00 AM		
		BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
2/1/2002	16	963/427 WAIVER OF SPEEDY TRIAL FOR 300 DAYS		
		UNTIL		
		11/18/02		
		Amount Owed: \$2.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
2/11/2002	17	DEFENDANT'S MOTION FOR AN ORDER ENLARGING		
		THE		
		TIME FOR FILING PRETRIAL MOTIONS FILED FILED		
		BY THE DEFENDANT'S ATTORNEY JERRY INGRAM		
		AND JOHN JUHASZ		
2/11/2002	18	DEFENDANT'S MOTION FPR DISCOVERY FILED BY		
		THE		
		DEFENDANT'S ATTORNEY JERRY INGRAM AND		
		ATTORNEY JOHN JUHASZ		
2/20/2002	19	MOTION TO DETERMINE PROPER STANDARD TO		
		EXCUSE		
		JURORS FOR CAUSE FILED BY THE DEFENDANT'S		
		ATTORNEY JERRY INGRAM AND		
		ATTORNEY JOHN JUHASZ.		
2/26/2002	20	DEFENDANT'S MOTION FOR COMPREHENSIVE VOIR		
		DIRE		
		EXAMINATION FILED BY THE DEFENDANT'S		
		ATTORNEY JERRY INGRAM		
3/13/2002	21	NOTICE TO SUPREME COURT (COPY)		
		CC02008		
3/15/2002	22	STATE'S REQUEST FOR RECIPROCAL DISCOVERY		
		FILED BY		
		THE PROSECUTOR'S OFFICE		
3/15/2002	23	STATE'S RESPONSE TO DEFENDANT'S REQUEST FOR		
		DISCOVERY FILED BY THE PROSECUTOR'S OFFICE		

3/15/2002	24	STATE'S RESPONSE TO DEFENDANT'S REQUEST BILL OF		
3/20/2002	25	PARTICULARS FILED BY THE PROSECUTOR'S OFFICE MOTION OF INTEREST PARTY FILED BY ATTORNEY ROSEMARY MILBY ATTORNEY FORD MOTOR CREDIT COMPANY FILED		
4/16/2002	26	STATES SECOND SUPPLEMENTAL RESPONSE TO DEFTS REQUEST FOR DISCOVERY WITH SERVICE FILED BY PROSECUTOR		
4/18/2002	27	STATES THIRD SUPPLEMENTAL RESPONSE TO DEFTS REQUEST FOR DISCOVERY WITH SERVICE FILED BY PROSECUTOR		
5/20/2002		HEARING ON PENDING MOTIONS 07/18/2002 01:00 PM		
6/18/2002	28	BEFORE:HON. JOHN M. STUARD LOC:COURT 2 DEFENDANT'S MOTION FOR COMPEHENSIVE VOIR DIRE		
6/18/2002	29	EXAMINATION FILED BY THE DEFENDANT'S ATTORNEY J. GERALD INGRAM AND JOHN B JUHASZ DEFENDANT'S MOTION TO PROHIBIT DEATH QUALIFICATION OF JURORS UNLESS AND UNTIL THE GOVERNMENT HAS ESTABLISHED PROBABLE CAUSE THAT THE CASE WILL PROCEED TO A SECOND PHASE EVIDENTIARY HEARING REQUESTED FILED BY THE DEFENDANT'S ATTORNEY J. GERALD INGRAM AND JOHN B JUHASZ DEFENDANT'S MOTION TO SUPPRESS EVIDENCE REQUEST FOR EVIDENTIARY HEARING FILED BY THE DEFENDANT'S ATTORNEY J. GERALD INGRAM AND JOHN B JUHASZ DEFENDANT'S MOTION FOR ALTERNATING VOIR EXAMINATION FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM		
7/9/2002	30	DEFENDANT'S MOTION TO HAVE REASONS FOR OBJECTIONS AND REASONS FOR OVERRULING OBJECTIONS PLACED ON THE RECORD FILED BY THE DEFENANT'S ATTORNEY JERRY INGRAM		
7/15/2002	31	DEFENDANT'S MOTION TO DISMISS INDICTMENT OR IN THE ALTERNATIVE TO DISMISS DEATH SPECIFICATIONS BECAUSE DEATH PENALTY IN OHIO IS UNCONSTITUTIONAL REQUEST FOR ORAL HEARING FILED BY THE DEFENDANT'S ATTORNEY'S JERRY INGRAM AND JOHN JUHASZ		
7/15/2002	32	976/309 ENTRY OF STIPULATION REGARDING DEFTS JULY		
7/18/2002	33	9, 2002 MOTION TO SUPPRESS. SEE J/E. 7/19/02 COPIES SENT TO: J INGRAM, J JUHASZ, S BOLTON, D MARBURGER,	4.00	4.00
7/18/2002	34	STATE'S MEMORANDUM IN RESPONSE TO DEFENDANT'S MOTION TO DETERMINE PROPER STANDARD TO EXCUSE JURORS FOR CAUSE FILED BY THE PROSECUTOR'S OFFICE MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION FOR COMPREHENSIVE VOIR DIRE FILED BY THE PROSECUTOR'S OFFICE		
7/18/2002	35	DEFENDANT'S MOTION TO DISMISS INDICTMENT OR IN THE ALTERNATIVE TO DISMISS DEATH SPECIFICATIONS BECAUSE DEATH PENALTY IN OHIO IS UNCONSTITUTIONAL REQUEST FOR ORAL HEARING FILED BY THE DEFENDANT'S ATTORNEY'S JERRY INGRAM AND JOHN JUHASZ		
7/18/2002	36	976/309 ENTRY OF STIPULATION REGARDING DEFTS JULY		
7/19/2002	37	9, 2002 MOTION TO SUPPRESS. SEE J/E. 7/19/02 COPIES SENT TO: J INGRAM, J JUHASZ, S BOLTON, D MARBURGER,	4.00	4.00

		A MILLETTE ROSECUTOR		
		Amount Owed: \$4.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
7/19/2002		POSTAGE		
		Amount Owed: \$2.22	2.22	2.22
		Paid Before Conversion: \$0.00		
		Receipt Number:		
7/23/2002		HEARING ON PENDING MOTIONS 09/20/2002		
		09:00 AM		
8/26/2002	38	BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
		DEFTS MOTION TO SUPPRESS REFERENCES TO THE		
		JURY		
		THAT A VERDICT OF DEATH IS ONLY A		
		RECOMMENDATION		
9/11/2002	39	WITH SERVICE FILED BY ATTY JOHN JUHASZ		
		981/507 DEFTS MOTION TO SUPPRESS REFERENCES		
		TO THE	6.00	6.00
		JURY THAT THE DEATH PENALTY IS BEING SOUGHT		
		IS		
		DENIED. SEE J/E. 9/11/02 COPIES SENT TO:		
		PROSECUTOR, J INGRAM & J JUHASZ		
		Amount Owed: \$6.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
9/11/2002		POSTAGE		
		Amount Owed: \$1.11	1.11	1.11
		Paid Before Conversion: \$0.00		
		Receipt Number:		
9/12/2002	40	DEFTS MOTION TO DISMISS DEATH		
		SPECIFICATIONS DUE TO		
		INADEQUATE APPELLATE REVIEW REQUEST FOR		
		HEARING		
9/13/2002	41	WITH SERVICE FILED BY ATTY JOHN JUHASZ		
		DEFTS MOTION TO PROHIBIT THE GOVERNMENT		
		FROM USING		
		PEREMPTORY CHALLENGES TO EXCLUDE VENIREMEN		
		WHO		
		EXPRESS CONCERN ABOUT IMPOSING CAPITAL		
		PUNISHMENT		
9/16/2002	42	WITH SERVICE FILED BY ATTY J GERALD INGRAM		
		DEFTS MOTION TO HAVE REASONS FOR OBJECTIONS		
		AND		
		REASONS FOR OVERRULLING OBJECTIONS PLACED		
		ON THE		
		RECORD WITH SERVICE FILED BY ATTY J GERALD		
9/16/2002	43	INGRAM		
		DEFTS MOTION TO DISMISS DEATH PENALTY		
		SPECIFICATIONS BECAUSE METHOD OF EXECUTION		
		IS		
		UNCONSTITUTIONAL WITH SERVICE FILED BY ATTY		
		J		
		GERALD INGRAM		
9/20/2002		HEARING ON PENDING MOTIONS 10/10/2002		
		01:00 PM		
10/4/2002	44	BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
		MOTION TO SUPPRESS WITH SERVICE FILED BY		
		ATTY		
		GERALD INGRAM		
10/10/2002	45	MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO		
		DISMISS		
		DEATH PENALTY SPECIFICATIONS DUE TO		
		INADEQUATE		
		APPELLATE REVIEW WITH SERVICE FILED BY		
		PROSECUTOR		
10/10/2002	46	MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO		
		DISMISS		
		DEATH PENALTY SPECIFICATIONS BECAUSE METHOD		
		OF		
		EXECUTION IS UNCONSTITUTIONAL WITH SERVICE		
		FILED BY		
		PROSECUTOR		
10/10/2002	47	MEMORANDUM CONTRA TO DEFTS MOTION TO DISMISS		
		INDICTMENT: OR IN ALTERNATIVE TO DISMISS		
		DEATH		
		SPECIFICATIONS BECAUSE DEATH PENALTY IN		
		OHIO IS		

10/10/2002 48	UNCONSTITUTIONAL WITH SERVICE FILED BY PROSECUTOR MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO HAVE REASONS FOR DEFENSE OBJECTIONS AND REASONS FOR OVERRULING DEFTS OBJECTIONS PLACED ON RECORD WITH SERVICE FILED BY PROSECUTOR		
10/10/2002 49	MEMORANDUM IN OPPOSITION TO DEFTS MOTION TO PROHIBIT THE USE OF PEREMPTORY CHALLENGES TO EXCLUDE VERIFIERS WHO EXPRESS CONCERNS ABOUT IMPOSING CAPITAL PUNISHMENT WITH SERVICE FILED BY PROSECUTOR		
10/10/2002 50	MEMORANDUM IN OPPOSITION TO DEFTS MOTION FOR ALTERNATING VOIR DIRE WITH SERVICE FILED BY PROSECUTOR		
10/10/2002 51	MOTION FOR DEFT TO SUBMIT TO HANDWRITING EXEMPLARS WITH SERVICE FILED BY PROSECUTOR		
10/10/2002 52	STATES FOURTH SUPPLEMENTAL RESPONSE TO DEFTS REQUEST FOR DISCOVERY WITH SERVICE FILED BY PROSECUTOR		
10/10/2002 53	983/808 MOTIONS HEARING SCHEDULED FOR 9/20/02 AT 9:00 AM IS RESCHEDULED TO 10/10/02 AT 1:00 PM. 10/10/02 COPIES SENT TO: C BECKER, K BAILEY, TR CO PROSECUTOR, J INGRAM AND J JUHASZ Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
10/15/2002	HRG ON MOTION TO SUPPRESS 11/08/2002 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
10/21/2002	STATUS CONFERENCE 10/24/2002 11:30 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
10/25/2002 54	985/232 WAIVER OF SPEEDY TRIAL FOR 210 DAYS UNTIL 4/7/03 Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
10/29/2002	JURY TRIAL 04/07/2003 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
11/1/2002	PRE TRIAL 12/19/2002 08:45 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
12/3/2002 55	DEFTS MOTION TO DISMISS DEATH SPECIFICATIONS AND TO DECLARE INVALID OHIO CONST ART IV, 2 AND 3 AND ORC ANN 2929.05 AND 2953.02 AND REQUEST FOR HEARING WITH SERVICE FILED BY ATTY J GERALD INGRAM		
12/20/2002	PRE TRIAL 01/02/2003 08:45 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
1/3/2003	SUPPRESSION HEARING 02/26/2003 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
2/28/2003	FINAL PRE TRIAL 03/26/2003 01:00 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
2/28/2003	JURY TRIAL 04/08/2003 09:00 AM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
2/28/2003 56	995/415 WAIVER OF SPEEDY TRIAL FOR ADDITIONAL 45 DAYS; TRIAL DATE APRIL 8, 2003. Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00

3/3/2003	57	MEMORANDUM OPPOSITION TO DEFENDANT'S MOTION TO SUPPRESS FILED BY THE PROSECUTOR'S OFFICE		
3/17/2003	58	NOTICE OF OPEN FILE DISCOVERY FILED BY THE PROSECUTOR'S OFFICE		
3/18/2003	59	DEFENDANT'S MOTION FOR ORDER GRANTING EXPERT ACCESS TO DEFENDANT IN COUNTY JAIL FILED BY THE DEFENDANT'S ATTORNEY JOHN JUHASZ		
3/18/2003	60	996/977 JUDGMENT ENTRY GRANTING EXPERT ACCESS. 3/18/03 CC SENT TO: C BECKER, K BAILEY, J G INGRAM, J JUHASZ, DR T EBERLE & T ALTIERE Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
3/18/2003		POSTAGE Amount Owed: \$2.22 Paid Before Conversion: \$0.00 Receipt Number:	2.22	2.22
3/21/2003	61	DEFENDANT'S POST SUPPRESSION HEARING MEMORANDUM FILED BY THE DEFENDANT'S ATTORNEY GERALD INGRAM AND JOHN JUHASZ		
4/4/2003	62	998/433 DEFTS MOTION TO SUPPRESS IS DENIED. 4/4/03 COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ Amount Owed: \$6.00 Paid Before Conversion: \$0.00 Receipt Number:	6.00	6.00
4/4/2003		POSTAGE Amount Owed: \$1.11 Paid Before Conversion: \$0.00 Receipt Number:	1.11	1.11
4/7/2003	63	PROPOSED ORIENTATION INSTRUCTIONS AS TO PROCEDURE IN A CAPITAL CASE FILED BY THE DEFENDANT'S ATTORNEY J GERALD INGRAM		
4/7/2003		HEARING ON MOTION TO SUPPRESS EVIDENCE FILED BY THE DEFENDANT'S ATTORNEY J GERALD INGRAM AND ATTORNEY JOHN JUHASZ		
4/7/2003	65	NOTICE OF APPEAL TO THE 11TH APPELLATE COURT FILED BY ATTY J JUHASZ		
4/7/2003	65	DEFENDANTS MOTION TO CHANGE VENUE REQUEST FOR CLOSED ORAL HEARING FILED BY ATTY INGRAM AND JUHASZ		
4/8/2003	66	998/713 MANDATE FROM COURT OF APPEALS. THE INSTANT APPEAL IS DISMISSED FOR LACK OF JURISDICTION Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
4/8/2003	67	SUBPOENA RETURNED AND ENDORSED ON ANDREW HARVEY BY SHERIFF ALTIERE Amount Owed: \$3.30 Paid Before Conversion: \$0.00 Receipt Number:	3.30	3.30
4/9/2003	68	SUBPOENA RETURNED AND ENDORSED ON JOSE SANCHEZ MAHONING COUNTY SHERIFF'S DEPARTMENT Amount Owed: \$1.00 Paid Before Conversion: \$0.00 Receipt Number:	1.00	1.00
4/10/2003	69	PRELIMINARY INSTRUCTIONS (DEFENDANT'S SUBMISSION) FILED BY THE DEFENDANT'S ATTORNEY		
4/10/2003	70	DEFENDANT'S MOTION FOR SPECIFIC DISCLOSURE OF DUE PROCESS MATERIAL FILED BY THE DEFENDANT'S		

4/14/2003	71	ATTORNEY JEFF : INGRAM AND JOHN JUHASZ STATE'S FIFTH SUPPLEMENTAL RESPONSE TO DEFENDANT'S REQUEST FOR DISCOVERY FILED BY THE PROSECUTOR'S OFFICE		
4/24/2003	72	SUBPOENA RETURNED AND ENDORSED ON MELVIN WILLIAMS MAHONING COUNTY SHERIFF Amount Owed: \$6.60 Paid Before Conversion: \$0.00 Receipt Number:	6.60	6.60
4/24/2003	73	SUBPOENA RETURNED AND ENDORSED ON SHELIA FIELDS MAHONING COUNTY SHERIFF Amount Owed: \$3.80 Paid Before Conversion: \$0.00 Receipt Number:	3.80	3.80
4/24/2003	74	SUBPOENA RETURNED AND ENDORSED ON JEFFREY DIAMANTES MAHONING COUNTY SHERIFF Amount Owed: \$27.40 Paid Before Conversion: \$0.00 Receipt Number:	27.40	27.40
4/24/2003	75	SUBPOENA RETURNED AND ENDORSED ON JOSE FLORES RICHLAND COUNTY SHERIFF Amount Owed: \$2.50 Paid Before Conversion: \$0.00 Receipt Number:	2.50	2.50
4/24/2003	76	SUBPOENA RETURNED AND ENDORSED ON JIM MCCOY CUYAHOGA COUNTY SHERIFF Amount Owed: \$16.27 Paid Before Conversion: \$0.00 Receipt Number:	16.27	16.27
4/24/2003	77	SUBPOENA RETURNED AND ENDORSED ON CHRIS GEAR MAHONING COUNTY SHERIFF Amount Owed: \$3.80 Paid Before Conversion: \$0.00 Receipt Number:	3.80	3.80
4/24/2003	78	SUBPOENA RETURNED AND ENDORSED ON RALPH ROBERTS MAHONING COUNTY SHERIFF Amount Owed: \$14.50 Paid Before Conversion: \$0.00 Receipt Number:	14.50	14.50
4/24/2003	79	SUBPOENA RETURNED AND ENDORSED ON JAMES CULWELL FRANKLIN COUNTY SHERIFF Amount Owed: \$2.30 Paid Before Conversion: \$0.00 Receipt Number:	2.30	2.30
4/25/2003	80	SUBPOENA RETURNED AND ENDORSED ON JILL KENYON SHERIFF ALTIERE Amount Owed: \$4.30 Paid Before Conversion: \$0.00 Receipt Number:	4.30	4.30
4/25/2003	81	SUBPOENA RETURNED AND ENDORSED ON JENNIFER ROBINSON MAHONING COUNTY SHERIFF Amount Owed: \$5.40 Paid Before Conversion: \$0.00 Receipt Number:	5.40	5.40
4/25/2003	82	SUBPOENA RETURNED AND ENDORSED ON JEFFREY PASCARELLA MAHONING COUNTY SHERIFF Amount Owed: \$8.60 Paid Before Conversion: \$0.00 Receipt Number:	8.60	8.60
4/25/2003	83	SUBPOENA RETURNED AND ENDORSED ON RITA MORRISON MAHONING COUNTY SHERIFF Amount Owed: \$5.40 Paid Before Conversion: \$0.00	5.40	5.40

4/25/2003	84	Receipt Num : SUBPOENA RETURNED AND ENDORSED ON RITA MOSSISON SHERIFF ALTIERE		
4/25/2003	85	SUBPOENA RETURNED AND ENDORSED ON JOHN GUZIK MAHONING COUNTY SHERIFF Amount Owed: \$5.40 Paid Before Conversion: \$0.00 Receipt Number:	5.40	5.40
4/25/2003	86	SUBPOENA RETURNED AND ENDORSED ON MIGUEL DIAZ MAHONING SHERIFF ALTIERE Amount Owed: \$6.60 Paid Before Conversion: \$0.00 Receipt Number:	6.60	6.60
4/25/2003	87	TRIAL STIPULATION FILED BY THE DEDENDANT'S ATTORNEY ALONG WITH THE PROSECUTOR'S OFFICE		
4/25/2003	88	SUBPOENA RETURNED AND ENDORSED ON FRANK REYNOLDS NOT SERVED MAHONING COUNTY SHERIFF Amount Owed: \$11.00 Paid Before Conversion: \$0.00 Receipt Number:	11.00	11.00
4/25/2003	89	SUBPOENA RETURNED AND ENDORSED ON JAMES DANIELS MAHONING COUNTY SHERIFF Amount Owed: \$3.80 Paid Before Conversion: \$0.00 Receipt Number:	3.80	3.80
4/25/2003	90	SUBPOENA RETURNED AND ENDORSED ON BRIDGET PAUL SHERIFF ALTIERE Amount Owed: \$3.30 Paid Before Conversion: \$0.00 Receipt Number:	3.30	3.30
4/25/2003	91	SUBPOENA RETURNED AND ENDORSED ON PAULA CARSON SHERIFF ALTIERE Amount Owed: \$3.30 Paid Before Conversion: \$0.00 Receipt Number:	3.30	3.30
4/25/2003	92	SUBPOENA RETURNED UNABLE TO SERVE IN TIME FOR		
4/29/2003	93	HEARING (KRIS ELLINGTON) SUBPOENA RETURNED - UNABLE TO SERVE IN TIME FOR HEARING - NEW ADDRESS 2747 RANDOLPH NW, WARREN, OH 44485 (SANTIAGO MASON)		
5/12/2003 1001-295-	94	THE PARTIES 45 MINUTES PER SIDE TO INDIVIDUALLY VOIR DIRE THE PROSEPECTIVE JURORS. 11 - DEFTS MOTION TO PROHIBIT DEATH QUALIFICATION OF JURORS UNLESS AND UNTIL THE GOVERNMENT HAS ESTABLISHED PROBABLE CAUSE THAT THE CASE WILL PROCEED TO A SECOND PHASE IS OVERRULED. 12 - STATES MOTION TO HAVE THE DEFT SUBMIT TO HANDWRITING EXEMPLARS IS MOOT DUE TO THE STIPULATED ENTRY FILED ON 4/25/02. 13 - DEFTS MOTION TO DISMISS DEATH SPECIFICATIONS AND TO DECLARE INVALID OHIO CONSTITUTION ART IV, 2 AND 3 AND ORC 2929.05 AND 2953.02 IS OVERRULED. 14 - DEFTS MOTION TO CHANGE VENUE IS OVERRULED. 5/12/03 COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ	8.00	8.00

	1001/295	1	DEFTS MOTION TO PROHIBIT THE GOVERNMENT FROM USING PEREMPTORY CHALLENGES TO EXCLUDE VENIREMEN WHO EXPRESS CONCERN ABOUT IMPOSING CAPITAL PUNISHMENT IS OVERRULED.		
		2	- DEFTS MOTION TO HAVE REASONS FOR OBJECTIONS AND REASONS FOR OVERRULING OBJECTIONS PLACED ON THE RECORD IS GRANTED IN PART. THE COURT WILL PROVIDE ITS REASONS FOR OVERRULING ANY OBJECTIONS ON THE RECORD IF REQUESTED BY EITHER PARTY.		
		3	- DEFTS MOTION TO DISMISS DEATH PENALTY SPECIFICATIONS BECAUSE METHOD OF EXECUTION IS UNCONSTITUTIONAL IS OVERRULED.		
		4	- DEFTS MOTION TO DISMISS DEATH SPECIFICATIONS DUE TO INADEQUATE APPELLATE REVIEW IS OVERRULED.		
		5	- DEFTS MOTION TO SUPPRESS REFERENCES TO THE JURY THAT A VERDICT OF DEATH IS ONLY A RECOMMENDATION IS OVERRULED.		
		6	- DEFTS MOTION TO DISMISS INDICTMENT OR IN THE ALTERNATIVE TO DISMISS DEATH SPECIFICATIONS BECAUSE DEATH PENALTY IN OHIO IS UNCONSTITUTIONAL IS OVERRULED.		
		7	- DEFTS MOTION FOR ALTERNATING VOIR DIRE EXAMINATION IS WITHDRAWN.		
		8	- DEFTS MOTION FOR AN ORDER ENLARGING THE TIME FOR FILING PRETRIAL MOTIONS FILED 2/11/02 IS GRANTED.		
		9	- DEFTS MOTION TO DETERMINE THE PROPER STANDARD TO EXCUSE JURORS FOR CAUSE IS OVERRULED TO THE EXTENT THAT THE COURT WILL DETERMINE BASED UPON THE APPLICABLE LAW THE STANDARD FOR EXCUSING JURORS.		
		10	- DEFTS MOTION FOR COMPREHENSIVE VOIR DIRE EXAMINATION IS GRANTED AND THE COURT WILL PERMIT		
			Amount Owed: \$8.00		
			Paid Before Conversion: \$0.00		
			Receipt Number:		
5/12/2003	95		DEFENDANT'S MOTION IN LIMINE HEARING REQUEST OR HEARING FILED BY THE DEFENDANT'S ATTORNEY JERRY INDRAM AND JOHN JUHASZ		
5/12/2003	96		DEFENDANT'S MOTION IN LIMINE CONCERNING EXTRANEEOUS STATEMENTS IN LETTERS AND TAPES FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM & JOHN JUHASZ		
5/12/2003	97		STENOGRAPHER FEE FILED BY KELLY J WILSON	125.00	125.00
			OFFICIAL COURT REPORTER		
			Amount Owed: \$125.00		
			Paid Before Conversion: \$0.00		
			Receipt Number:		
5/13/2003			WITNESS FEES FOR CHRIS MONYAK		
			Amount Owed: \$24.00	24.00	24.00
			Paid Before Conversion: \$0.00		
			Receipt Number:		
5/14/2003			WITNESS FEES JAMES DANIELS	8.00	8.00

		Amount Owed: \$8.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
5/14/2003		WITNESS FEES		
		\$283.90	283.90	283.90
		Amount Owed: \$283.90		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
5/15/2003		WITNESS FEES SANTIAGO MASON		
		Amount Owed: \$24.00	24.00	24.00
		Paid Before Conversion: \$0.00		
		Receipt Number:		
5/15/2003	98	STIPULATION FILED BY THE PROSECUTOR'S OFFICE		
5/16/2003	99	DEFENDANT'S MOTION IN LIMINE REQUEST FOR HEARING		
		FILED BY THE DEFENDANT'S ATTORNEY JERRY AND ATTORNEY JOHN JUHASZ		
5/22/2003	100	1002/478 JURORS MARGARET KAY AND TERRY GRAY ARE ORDERED BY THIS COURT NOT TO REPORT TO THEIR PLACES OF EMPLOYMENT DURING THE DURATION OF THEIR JURY SERVICE IN THE ABOVE STYLED CASE. THIS ORDER SHALL REMAIN IN EFFECT UNTIL A FINAL VERDICT IS REACHED IN THIS CASE IN THE GUILT PHASE AS WELL AS THE PENALTY PHASE IF SUCH PHASE IS NECESSARY.	2.00	2.00
		5/22/03		
		COPIES SENT TO: PROSECUTOR, J INGRAM & J JUHASZ		
		Amount Owed: \$2.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
5/22/2003		POSTAGE		
		Amount Owed: \$1.11	1.11	1.11
		Paid Before Conversion: \$0.00		
		Receipt Number:		
5/22/2003	101	1004/867 ORDERED THAT JURORS MARGARET KAY & TERRY GRAY ARE NOT TO REPORT TO PLACES OF EMPLOYMENT DURING DURATION OF JURY SERVICE IN THIS CASE 06-30-03 COPIES TO J GERALD INGRAM, JOHN JUHASZ & PROS	2.00	2.00
		Amount Owed: \$2.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
5/27/2003	102	DEFENDANT'S MOTION FOR JUDGEMENT OF ACQUITTAL FILED		
		BY THE DEFENDANT'S ATTORNEY J. INGRAM AND ATTORNEY JOHN JUHASZ		
5/27/2003	103	DEFENDANT'S PROPOSED INSTRUCTION TO TRIAL JURY FILED		
		BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ		
5/27/2003	104	CHARGE IF THE COURT FILED BY THE DEFENDANT'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ		
5/29/2003	105	1002/761 VERDICT FOR PLAINTIFF - COUNT ONE - COMPLICITY TO AGGRAVATED MURDER (PRIOR CALCULATION AND DESIGN)	2.00	2.00
		Amount Owed: \$2.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
5/29/2003	106	1002/762 VERDICT FOR PLAINTIFF COUNT ONE - VERDICT	2.00	2.00
		ON SPECIFICATION ONE		
		Amount Owed: \$2.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		

5/29/2003	107	1002/763 VERDICT FOR PLAINTIFF COUNT ONE - VERDICT ON SPECIFICATION TWO Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
5/29/2003	108	1002/764 VERDICT FOR PLAINTIFF COUNT TWO - COMPLICITY TO AGGRAVATED MURDER (FELONY MURDER) Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
5/29/2003	109	1002/765 VERDICT FOR PLAINTIFF COUNT TWO VERDICT ON SPECIFICATION ONE Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
5/29/2003	110	1002/766 VERDICT FOR PLAINTIFF COUNT TWO - VERDICT ON SPECIFICATION TWO Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
5/29/2003	111	1002/767 VERDICT FOR PLAINTIFF COUNT THREE COMPLICITY TO AGGRAVATED BURGLARY Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
5/29/2003	112	1002/768 VERDICT FOR PLAINTIFF COUNT THREE - VERDICT ON FIREARM SPECIFICATION Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
5/29/2003	113	1002/769 VERDICT FOR PLAINTIFF COUNT 4 COMPLICITY TO AGGRAVATED ROBBERY Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
5/29/2003	114	1002/770 VERDICT FOR PLAINTIFF COUNT FOUR - VERDICT ON FIREARM SPECIFICATION Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
6/3/2003	115	MOTION TO MERGE DEATH SPECIFICATIONS FILED BY THE DEFENDANT'S ATTORNEY		
6/3/2003	116	MOTION TO PROHIBIT READMISSION OF CERTAIN EXHIBITS FROM THE FIRST TRIAL PHASE FILED BY THE DEFENDANT'S ATTORNEY'S ATTORNEY JERRY INGRAM AND ATTORNEY JOHN JUHASZ		
6/3/2003	117	MOTION TO PROHIBIT REFERENCE TO THE NATURE AND CIRCUMSTANCES OF THE OFFENSES AT CERTAIN TIMES FILED BY THE DEFENDANT'S ATTORNEY		
6/3/2003	118	MOTION TO PROHIBIT REFERENCE TO THE NATURE AND CIRCUMSTANCES OF THE OFFENSES AT CERTAIN TIMES FILED BY THE DEFENDANT'S ATTORNEY		
6/3/2003	119	MOTION TO PROHIBIT IMPROPER COMMENT BY PROSECUTOR ON DEFENDANT'S UNSWORN STATEMENT FILED BY THE DEFENDANT'S ATTORNEY		
6/3/2003	120	PROPOSED INSTRUCTION TO JURY FILED BY THE DEFENDANT'S ATTORNEY		
6/5/2003	121	1003/391 JURY FINDING AND RECOMMENDATION OF DEATH SENTENCE. COUNT ONE SPECIFICATION ONE: AGGRAVATED	4.00	4.00

		BURGLARY TH		
		Amount Owed: \$4.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/5/2003	122	1003/393 JURY FINDING AND RECOMMENDATION OF DEATH	4.00	4.00
		SENTENCE. COUNT ONE SPECIFICATION TWO: AGGRAVATED ROBBERY		
		Amount Owed: \$4.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/13/2003		SENTENCING HEARING 06/20/2003 01:30 PM BEFORE:HON. JOHN M. STUARD LOC:COURT 2		
6/16/2003	123	1003/911 THE COURT FINDS THAT THERE IS NO AUTHORITY TO ORDER A PRE-SENTENCE INVESTIGATION AND REPORTS, AS WAS ORDERED BY THE COURT ON 6/4/03. AS SUCH A REPORT MAY BE PREPARED ONLY AT THE REQUEST OF THE DEFT AND AS THE DEFT HAS NOT MADE SUCH A REQUEST,THE DIRECTIVE THAT SUCH A REPORT BE PREPARED IS RESCINDED	2.00	2.00
		Amount Owed: \$2.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/20/2003	124	1004/263 JURORS EXCUSED WITHOUT OBJECTION BY COUNSEL. SEE J/E	16.00	16.00
		Amount Owed: \$16.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/20/2003	125	1004/271 JURORS EXCUSED FOR CAUSE DURING THE TRIAL. SEE J/E	8.00	8.00
		Amount Owed: \$8.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/20/2003	126	1004/275 OPINION OF THE COURT IMPOSING DEATH SENTENCE AND FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING IMPOSITION OF DEATH SENTENCE. SEE J/E	34.00	34.00
		Amount Owed: \$34.00		
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/23/2003	126 A	POST SENTENCING RIGHTS FILED BY PROSECUTOR'S OFFICE		
6/24/2003		COMPLETE RECORD		
		Amount Owed: \$20.00	20.00	20.00
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/24/2003		STENOGRAPHER FEE		
		Amount Owed: \$25.00	25.00	25.00
		Paid Before Conversion: \$0.00		
		Receipt Number:		
6/24/2003	127	WARRANT TO CONVEY TO OHIO REFORMATORY FOR WOMEN		
		ISSUED TO SHERIFF ON 6-24-03		
6/24/2003	128	1004/449 SENTENCING: 6/4/03 DEFT IS SENTENCED TO DEATH ON 1/11/04 ON COUNT ONE. DEFT SENTENCED TO THE OHIO REFORMATORY FOR WOMEN AT MARYSVILLE OHIO FOR 10 YEARS ON COUNT 3 PLUS A MANDATORY TERM OF 3 YEARS ON THE FIREARM SPECIFICATION TO BE SERVED PRIOR TO AND CONSECUTIVE TO THE SENTENCE IMPOSED IN COUNT 3; 10 YEARS ON COUNT 4 PLUS A MANDATORY TERM	8.00	8.00

1/20/2004	136	TRANSCRIPT VOLUMES), 1 BOX OF EXHIBITS WITH LIST, FILED BY COURT REPORTER.		
1/29/2004	137	RECORD TRANSMITTED TO THE SUPREME COURT INCLUDING ORIGINAL PAPERS, TRANSCRIPTS (28 VOLUMES), AND EXHIBITS WITH INDEX BY PERSONAL DELIVERY FROM THE TRUMBULL COUNTY SHERIFFS DEPARTMENT. COPIES OF INDEX SENT TO COUNSEL OF RECORD. Amount Owed: \$1.00 Paid Before Conversion: \$0.00 Receipt Number:	1.00	1.00
2/2/2004	138	COPY OF EXHIBIT OF RECORD OF DEATH PENALTY CASE FROM THE SUPREME COURT OF OHIO		
2/13/2004		HEARING 03/12/2004 01:00 PM BEFORE: HON. JOHN M. STUARD LOC: COURT 2		
2/27/2004	139	MOTION FOR WARRANT FOR REMOVAL FILED BY PROSECUTOR'S OFFICE		
2/27/2004	140	ONE CERTIFIED COPY OF WARRANT FOR REMOVAL AND COPY OF MOTION FOR WARRANT OF REMOVAL AND WARRANT TO CONVEY TO TRUMBULL COUNTY JAIL ISSUED TO THE SHERIFF ON 2-27-04		
2/27/2004	141	1024/551 ORDER ON WARRANT TO CONVEY Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
3/15/2004	142	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT SHERIFF ALTIERE Amount Owed: \$240.50 Paid Before Conversion: \$0.00 Receipt Number:	240.50	240.50
3/23/2004	143	1026/435 THE COURT FINDS THAT THERE IS A CONFLICT OF INTEREST WITH THE PUBLIC DEFENDERS OFFICE. ATTYS DAVID DOUGHTEN AND PATTY SMITH APPOINTED AS COUNSEL FOR DEFT IN HER APPEAL. THE ADDRESS FOR ATTYS IS 4403 ST CLAIR AVE, CLEVELAND OH 44103 (216) 361-1112 3/23/04 COPIES SENT TO: K CULSHAW, R TROUTMAN, J WILHELM, D WATKINS, C BECKER, K BAILEY & L ANNOS. CC TO THE OHIO SUPREME COURT Amount Owed: \$4.00 Paid Before Conversion: \$0.00 Receipt Number:	4.00	4.00
3/23/2004		POSTAGE Amount Owed: \$2.96 Paid Before Conversion: \$0.00 Receipt Number:	2.96	2.96
4/14/2004	144	1028/385 ORDER APPOINTING COUNSEL FOR POST CONVICTION PETITION AND SETTING FEES. 4/14/04 COPIES SENT TO: J INGRAM, J JUHASZ, D BODIKER, J WILHELM, S BOLTON, D MARGURGER, A MILLETTE, D WATKINS, C BECKER, K BAILEY & L ANNOS Amount Owed: \$4.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
4/14/2004		POSTAGE Amount Owed: \$4.07 Paid Before Conversion: \$0.00 Receipt Number:	4.07	4.07
7/22/2004	145	MOTION FOR SUBSTITUTION OF COUNSEL FILED BY THE		

8/20/2004	146	THE DEFEND: 'S ATTORNEY DAVID L DOUGHTEN AND ATTORNEY PATRICIA J SMITH GRANTED 1039/213 MOTION FOR SUBSTITUTION OF COUNSEL IS Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
		JOINT MOTION TO TOLL FILING DATE OF POST CONVICTION PETITION FILED BY ATTY LUWAYNE ANNOS 1040/696 PURSUANT TO A JOINT MOTION FILED BY COUNSEL FOR DEFT DONNA ROBERTS AND COUNSEL FOR THE STATE OF OHIO, THIS COURT IN THE INTEREST OF JUSTICE WILL CONSTRUE DEFTS POSTCONVICTION PETITION TIMELY FILED IF IT IS TIME-STAMPED BY THE CLERK OF COURTS ON OR BEFORE 9/25/04. 9/9/04 COPIES SENT TO: PROSECUTOR, J INGRAM, J YUHASZ, D BODIKER, J WILHELM & D DOUGHTEN Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:		
9/9/2004	147	POSTAGE Amount Owed: \$2.22 Paid Before Conversion: \$0.00 Receipt Number:	2.22	2.22
9/9/2004	148	PETITION TO VACATE OR SET ASIDE SENTENCE FILED BY ATTORNEY DAVID DOUGHTEN COUNSEL FOR PETITIONER ALSO EXHIBIT B FILED NATHANIEL JACKSON'S VIDEO STATEMENT FILED.SERVED A COPY OF PETITION TO THE TRUMBULL COUNTY PROSECUTORS OFFICE ON THIS DATE. MOTION TO EXTEND TIME TO RESPONSE FILED BY THE PROSECUTOR'S OFFICE		
9/24/2004	149	1042/898 PURSUANT TO A JOINT MOTION FILED BY COUNSEL FOR DEFT DONNA ROBERTS AND COUNSEL FOR THE STATE OF OHIO, THIS COURT, IN THE INTEREST OF JUSTICE, WILL CONSTRUE DEFTS POSTCONVICTION PETITION TIMELY FILED IF IT IS TIME-STAMPED BY THE CLERK OF COURTS ON OR BEFORE 9/25/04. 10/7/04 COPIES SENT TO: PROSECUTOR, J INGRAM, J YUHASZ, D BODIKER, J WILHELM & D DOUGHTEN Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
10/1/2004	150	1042/899 PURSUANT TO A MOTION BY THE PLAINTIFF-RESPONDENT, THE STATE OF OHIO, AND R.C. 2953.21 (D), THIS COURT FIXES THE DUE DATE FOR THE STATE'S RESPONSE BY ANSWER OR MOTION AT 11/3/04. THE STATE, PER MOTION, HAS SHOWN GOOD CAUSE TO EXTEND THE DUE DATE FROM 10/4/04 TO 11/3/04. 10/7/04 COPIES SENT TO: PROSECUTOR & D DOUGHTEN Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:		
10/7/2004	151	FIRST AMENDED PETITION TO VACATE OR SET ASIDE SENTENCE WITH SERVICE FILED BY ATTY DAVID	2.00	2.00
10/7/2004	152			
10/25/2004	153			

11/2/2004	154	DOUGHTEN MOTION FOR SUMMARY JUDGMENT WITH SERVICE FILED BY ATTY LUWAYNE ANNOS		
11/3/2004	155	COPY OF MERIT BRIEF OF PLTF/APPEE OF STATE OF OHIO FILED BY PROSECUTOR		
12/1/2004	156	PETITIONER'S MOTION TO TRANSFER THE RECORD OF NATHANIEL JACKSON TO THE CAUSE OF ACTION FILED		
12/1/2004	157	BY THE DEFENDANT'S ATTORNEY DAVID L DOUGHTEN PETITIONER'S MOTION IN OPPOSITION TO STATE'S MOTION FOR SUMMARY JUDGMENT FILED BY THE DEFENDANT'S ATTORNEY DAVID DOUGHTEN		
12/1/2004	158	MOTION FOR LEAVE OF COURT TO CONDUCT DISCOVERY FILED BY THE DEFENDANT'S ATTORNEY DAVID DOUGHTEN		
1/24/2005		FILE SIGNED OUT TO JUDGE STUARD ON 1-25-05		
2/11/2005	159	1052/303 FINDINGS OF FACT AND CONCLUSIONS OFLAW DISMISSING PETITIONERS ORIGINAL AND FIRST AMENDED PETITION FOR POST CONVICTION RELIEF Amount Owed: \$28.00 Paid Before Conversion: \$0.00 Receipt Number:	28.00	28.00
2/11/2005	160	1052/709 DEFENDANT-PETITIONER DONNA ROBERTS' MOTION FOR LEAVE OF COURT TO CONDUCT DISCOVERY FILED DECEMBER 1, 2004 IS OVERRULED AS MOOT. MOTION TO TRANSFER THE RECORD OF NATHANIEL JACKSON TO THIS CASUE OF ACTION IS ALSO DENIED AS MOOT. 2/14/05 COPIES SENT TO: J INGRAM, J JUHASZ, D BOKER, J WILHELM, D DOUGHTEN, S BOLTEN, D MARBURGER, A MILLETTE, A WATKINS, C BECKER, D BODIKER, K BAILEY, L ANNOS Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
2/14/2005		POSTAGE Amount Owed: \$4.81 Paid Before Conversion: \$0.00 Receipt Number:	4.81	4.81
2/23/2005	161	1053/026 ORDER FOR CLERK OF COURTS TO IMMEDIATELY SERVE A COPY OF THIS COURT'S FINDINGS OF FACT AND CONCLUSIONS OF LAW FILED FEBRUARY 11, 2005 UPON ATTY DAVID DOUGHTEN COUNSEL FOR DEFENDANT-PETITIONER DONNA ROBERTS AND UPON TRUMBULL COUNTY PROSECUTOR'S OFFICE COUNSEL FOR PLAINTIFF RESPONDENT. 2/24/05 COPIES SENT: ATTY D DOUGHTEN, PROSECUTOR Amount Owed: \$2.00 Paid Before Conversion: \$0.00 Receipt Number:	2.00	2.00
3/1/2005	162	MOTION FOR APPOINTMENT OF APPELLATE COUNSEL WITH SERVICE FILED BY ATTY DAVID DOUGHTEN		
3/17/2005	163	MOTION FOR LEAVE TO FILE DELAYED APPEAL AND NOTICE OF APPEAL TO THE 11TH APPELLATE COURT FILED BY		

3/30/2005	164	ATTY D DOUGLAS 1056/564 APPROVAL OF PAYMENT OF COUNSEL FEES CC: AUDITOR Amount Owed: \$12.00 Paid Before Conversion: \$0.00 Receipt Number: NOTICE FILE REQUESTED BY JUDGE STUARD FROM CLERK'S OFFICE	12.00	12.00
9/13/2006		ORDER FROM SUPREME COURT OF OHIO. JUDGMENT OF THE COURT OF COMMON PLEAS IS AFFIRMED IN PART, VACATED IN PART AND THIS CAUSE IS REMANDED TO THE TRIAL COURT CONSISTENT WITH THE OPINION RENDERED HEREON. SEE JE ORDERED BY THE SUPREME COURT OF OHIO THAT THE MOTION FOR RECONSIDERATION IN THIS CASE IS DENIED		
10/10/2006	165	HEARING SET: Event: STATUS HEARING Date: 12/06/2006 Time: 9:00 am Judge: STUARD, JOHN M Location: COURTROOM 2		
11/1/2006		Result: TO BE RESET NOTICE SENT:		
12/4/2006	167	SPEEDY MAILER Sent on: 11/01/2006 10:10:21 MOTION FOR APPOINTMENT OF CO-COUNSEL WITH SERVICE FILED BY ATTY DAVID DOUGHTEN		
12/4/2006	168	MOTION FOR APPROPRIATION OF FUNDS FOR EXPERT ASSISTANCE WITH SERVICE FILED BY ATTY DAVID DOUGHTEN		
12/4/2006	169	MOTION FOR RELEASE OF RECORDS WITH SERVICE FILED BY ATTY DAVID DOUGHTEN		
12/6/2006		HEARING SET: The following event: STATUS HEARING scheduled for 12/06/2006 at 9:00 am has been rescheduled as follows: Event: STATUS HEARING Date: 01/17/2007 Time: 3:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2		
12/6/2006		Result: TO BE RESET NOTICE SENT: SPEEDY MAILER Sent on: 12/06/2006 12:31:39 MOTION FOR APPOINTMENT OF CO-COUNSEL IS GRANTED		
1/17/2007	171	ORDERED THAT ROBERT A DIXON BE APPOINTED AS CO COUNSEL	2.00	2.00
1/17/2007	172	ORDER DIRECTIVING EVALUATION OF DEFENDANT'S COMPETENCE TO STAND TRIAL 1-23-97 COPIES TO J. INGRAM, J. WILHELM, D DOUGHTON, R. DIXON, D. BODIKER, J JUHASZ AND PROS	2.00	2.00
1/17/2007	173	ORDER FOR FORENSIC EXAM 1-23-07 COPIES TO J. INGRAM, J. WILHELM, D. DOUGTEN, R. DIXON, D BODIKER, J JUHASZ AND PROS	2.00	2.00
1/23/2007		HEARING SET: The following event: STATUS HEARING scheduled for 01/17/2007 at 3:00 pm has been rescheduled as follows: Event: STATUS HEARING Date: 02/14/2007 Time: 3:30 pm Judge: STUARD, JOHN M Location:		

		COURTROOM 1 HE		
1/23/2007		Result: TO BE RESET NOTICE SENT:		
1/25/2007	174	SPEEDY MAILER Sent on: 01/23/2007 14:22:06 MOTION FOR APPROPRIATION OF FUNDS FOR LEAD COUNSEL WITH SERVICE FILED BY ATTY DAVID DOUGHTEN		
1/29/2007		POSTAGE	2.73	2.73
1/29/2007		POSTAGE	2.73	2.73
2/1/2007	175	REGULAR MAIL SENT TO:ROBERTA A DIXON RETURNED BY POST OFFICE FOR: ATTEMPTED NOT KNOWN	0.20	0.20
2/5/2007	176	ORDER FOR DAVID DOUGHTEN TO BE APPOINTED LEAD COUNSEL. 2-8-07 COPIES SENT TO D DOUGHTEN, J INGRAM, J WILHELM, R DIXON, D BODIKER, J JUHASZ AND PROS	2.00	2.00
2/8/2007		POSTAGE	2.73	2.73
2/26/2007		HEARING SET: The following event: STATUS HEARING scheduled for 02/14/2007 at 3:30 pm has been rescheduled as follows: Event: STATUS HEARING Date: 03/09/2007 Time: 2:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2		
2/26/2007		Result: SET STATUS CONFERENCE NOTICE SENT:		
3/9/2007		SPEEDY MAILER Sent on: 02/26/2007 11:04:16 HEARING SET: The following event: STATUS HEARING scheduled for 03/09/2007 at 2:00 pm has been rescheduled as follows: Event: STATUS HEARING Date: 05/11/2007 Time: 2:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2		
3/9/2007		Result: TO BE RESET NOTICE SENT:		
4/24/2007	177	SPEEDY MAILER Sent on: 03/09/2007 15:21:27 RECEIPT FROM THE SUPREME COURT OF OHIO. ALL ORIGINAL PAPERS (3 BOXES) WERE RETURNED TO THE TRUMBULL COUNTY CLERK OF COURTS		
5/1/2007	178	MOTION TO ALLOW FULL PRESENTATION OF MITIGATION AT SENTENCING REHEARING WITH SERVICE FILED BY ATTY DAVID DOUGHTEN		
5/1/2007	179	MOTION TO CONTINUE WITH SERVICE FILED BY ATTY DAVID DOUGHTEN		
5/25/2007		HEARING SET: The following event: STATUS HEARING scheduled for 05/11/2007 at 2:00 pm has been rescheduled as follows:		

8/27/2007	186	MOTION FOR WARRANT REMOVAL FILED BY PROSECUTOR'S OFFICE		
8/27/2007	187	WARRANT TO CONVEY TO TRUMBULL COUNTY JAIL ISSUED TO SHERIFF ON 8-28-07		
8/27/2007 1146-490-	188	WARRANT FOR REMOVAL. 8-28-07 ISSUED TO SHERIFF	2.00	2.00
9/5/2007 1147-308-	189	ORDER FOR CONTINUANCE OF TRIAL IS GRANTED TO ALLOW THE COMPETENCY EXAM TO BE CONDUCTED. SENTENCING DATE WILL BE SET AT COMPLETION OF COMPETENCY PROCEEDINGS.	2.00	2.00
9/11/2007	190	MOTION FOR APPROPRIATION OF FUNDS FOR EXPERT ASSISTANCE WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)		
9/14/2007 1148-383-	191	DEFENDANTS MOTION TO ALLOW FULL PRESENTATION OF MITIGATION AT SENTENCING HEARING IS DENIED. 9-14-07 COPIES TO: PROS, J. INGRAM, D. DOUGHTEN	2.00	2.00
9/14/2007		POSTAGE	0.82	0.82
9/18/2007	192	MOTION TO PROFFER EVIDENCE FILED BY THE DEFENDANT WITH PROOF OF SERVICE ALSO MEMORANDUM IN SUPPORT FILED BY THE DEFENDANT'S ATTORNEY WITH PROOF OF SERVICE DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)		
9/18/2007	193	MOTION TO PROFFER EVIDENCE APPENDIX PRISON RECORDS ALONG WITH EXHIBITS FILED BY THE DEFENDANT'S ATTORNEY FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)		
9/19/2007	194	WARRANT RETURNED SHOWING SERVICE ON DEFENDANT	230.50	230.50
9/20/2007	195	MOTION TO PROFFER EVIDENCE WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)		
9/20/2007	196	MOTION FOR APPOINTMENT OF INDEPENDENT EXPERT AND FOR CONTINUANCE WITH SERVICE FILED BY DAVID L DOUGHTEN (Attorney) on behalf of DONNA MARIE ROBERTS (DEFENDANT)		
9/21/2007		HEARING SET: The following event: HEARING scheduled for 09/20/2007 at 2:30 pm has been rescheduled as follows: Event: HEARING Date: 10/22/2007 Time: 1:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2 Result: COMPLETED		
9/21/2007		NOTICE SENT:		
9/21/2007		SPEEDY MAILER Sent on: 09/21/2007 13:24:22 HEARING SET:		
		The following event: RE-SENTENCING HEARING scheduled for 09/21/2007 at 2:30 pm has been rescheduled as follows: Event: RE-SENTENCING HEARING Date: 10/29/2007 Time: 1:00 pm Judge: STUARD, JOHN M Location: COURTROOM 2		

THE STATE OF OHIO, TRUMBULL COUNTY.

I, the undersigned, Clerk of Court of Common Pleas Court in and for said County, do hereby certify that the foregoing is a true transcript of the Docket and Journal Entries of said Court in the above-entitled cause, and that the said APPELLANT entered into a written undertaking with approved surety, conditioned to abide and perform the order and judgment of the Court, and to pay all money, costs and damages which may be required of or awarded against said APPELLEE upon the final termination of said appeal and such other conditions as the Court may provide; and I further certify that the papers herewith send, number from one (1) to 214 inclusive, are all the original papers and pleadings filed in the above cause of:

STATE OF OHIO
Plaintiff(s)-

Against

DONNA MARIE ROBERTS
Defendant(s)-

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the seal of said Common Pleas Court on February 7, 2008.

KAREN INFANTE ALLEN
CLERK OF COURTS

BY: **NANCY WINGARD**
Deputy Clerk

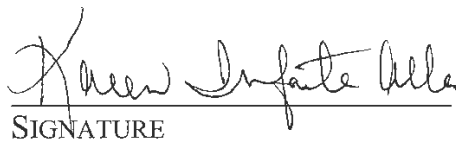
THE SUPREME COURT OF OHIO

State of Ohio
v.
Donna Roberts

CASE NO.
07-2288
**RECEIPT OF RECORD
OF
DEATH PENALTY CASE**

THE RECORD IN THE ABOVE-NAMED CASE WAS RECEIVED IN THE
CLERK'S OFFICE OF THE SUPREME COURT OF OHIO FROM THE UNDERSIGNED.
LIST CONTENTS:

6 BOXES
1 poster


SIGNATURE

2/19/08
DATE

01CR793

Amie Vetter-Records Assistant
614-387-9552